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ABSTRACT

Four panel presentations in full text are presented commenting on the following: an overview of national Indian strategy; goals and strategies of eight demonstration projects; a review of current federal legislation; and making services for American Indians culturally relevant in child placement, family support, and child care. Representatives, on the first panel, spoke on policy development in relation to human services for American Indians, presented the status of the Administration for Public Services, provided an overview of 11 Title XX projects, and described the role of the National Tribal Chairmen's Association in conducting the child welfare study. Project directors on the second panel described projects that deliver services (Ute Mountain Tribe, Sisseton-Wahpeton Sioux Tribe, Boston Indian Council), are preparing to deliver services (Standing Rock Sioux Tribe, Michigan Inter-Tribal Council, Bureau of Social Services in Washington, D.C.) and focus on training and technical assistance to tribal leaders (Inter-Tribal Council of Arizona, North Carolina Commission on Indian Affairs). The third presentation outlined provisions of Title IV-B Child Welfare Services and Title XX of the Social Security Act. Presenters on the fourth panel reiterated the importance of cultural relevancy to better serve American Indians. (ERB)

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SOCIAL SERVICES--

BY AND FOR NATIVE AMERICANS

conference
proceedings

june 7-9, 1978

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SOCIAL SERVICES:
BY AND FOR NATIVE AMERICANS

PROCEEDINGS
OF
A CONFERENCE OF EIGHT
INDIAN RESEARCH AND DEMONSTRATION PROJECTS
IN SANTA FE, NEW MEXICO

June, 1978

Co-Organizers: PACIFIC CONSULTANTS
Evaluation Contractor
Violet Smith, Project Director

NATIVE AMERICAN RESOURCE AND RESEARCH ASSOCIATES
Training and Technical Assistance Grantee
Denis Turner, Project Director

Funded by: The Administration for Public Services,
Office of Human Development Services,
Department of Health, Education and Welfare

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Office of Human Development Services
Administration for Public Services
WASHINGTON, D.C. 20201

June 4, 1979

Dear Colleague:

We are happy to provide you with the conference proceedings, "Social Services -- By and For Native Americans." The conference was held in Santa Fe, New Mexico, on June 7 - 9, 1978, under the joint sponsorship of Pacific Consultants of Berkeley, California, Native American Resource and Research Associates, Inc., Pauma Valley, California, and the Administration for Public Services (APS).

Persons attending the conference included project directors and staff of 11 research and demonstration projects jointly funded by APS and the Administration for Native Americans (OHDS). The objectives of these projects are to examine the potential role of Federal and State governments, as well as of Indian organizations and tribes, in the delivery of culturally relevant social services by and for Native Americans.

The conference was well received. The representatives from Federal and State governments and from Indian organizations and tribes freely discussed their experiences, viewpoints, and approaches concerning the planning, management, and delivery of social services for Native Americans.

Although these proceedings are nearly a year old, in our estimation they contain some useful guides for public and private provider agencies and organizations in meeting the social services needs of Native Americans.

Sincerely yours,

Ernest L. Osborne

Ernest L. Osborne
Commissioner
Administration for Public Services

PREFACE

The Administration for Public Services, in cooperation with the Administration for Native Americans, is supporting eleven research and demonstration projects directed toward improving the delivery of social services to Indian people, including:

- Eight program-oriented research and demonstration projects. Tribal governments and other Indian organizations have been funded to perform these three-year demonstration projects for the purpose of: developing innovative, culturally-relevant approaches for the delivery of social services to Indian people; building the capacity of tribes and other Indian organizations to plan and manage their own social service programs; and to involve Indian people in all phases of these projects. The funded projects are located throughout the nation: They involve Federally recognized tribes on reservations, urban Indians, rural Indians and inter-tribal organizations. Altogether, some 36 different tribal organizations are participating in the eight research and demonstration projects.

- A training and technical assistance grant, to NARRA, for the purpose of providing on-going assistance to the eight research and demonstration projects.

- A contract for an external evaluation of the eight research and demonstration projects, awarded to Pacific Consultants.

- A grant to the National Tribal Chairmen's Association to develop an Amendment to Title XX permitting direct funding to Indian tribes.

The present conference was convened to provide a forum for full interchange among all of the participants in the national research and demonstration program -- with each other and with representatives of the Federal government.

Every effort was made to keep the conference informal and to encourage a frank and open sharing of information and ideas. In keeping with this basic intent, all participants were extremely candid in expressing their views; comments contained in these proceedings should therefore be interpreted as personal viewpoints, rather than expressions of official policy.

We believe that the conference was informative and highly productive, and we sincerely hope that our readers will find these proceedings equally useful.

An Overview of National Indian Strategy

Presentations by

JOHN LEWIS - EXECUTIVE DIRECTOR, INTER-TRIBAL COUNCIL OF ARIZONA

MICHIO SUZUKI - DEPUTY COMMISSIONER, APS

CYNTHIA DEUTERMANN - FEDERAL R&D PROJECT OFFICER, APS

ANGELA RUSSELL - PROJECT DIRECTOR, NTCA TITLE XX PROJECT

INTRODUCTION

DENIS TURNER

Native American Resource and Research Associates
(NARRA)

I'd like to start by welcoming you, all of you, to our Native American Conference on Title XX and Social Services. As you know, the conference is co-sponsored by Pacific Consultants of Berkeley and NARRA - Native American Resource and Research Associates. I am Denis Turner, one of the principals of the conference.

At this point I'd like to introduce John Lewis, executive director of the Inter-Tribal Council of Arizona. John will give us a presentation on the national Indian strategy on Title XX.

JOHN LEWIS

Executive Director,
Inter-Tribal Council of Arizona

What we're involved with at this meeting is the development of policy in relation to human services. This is a new area in many ways for Indian people, since historically policy has been formulated by groups other than Indians. Basically, when we talk policy it is the relationship between Indian people and non-Indian people which is at issue.

Looking at what's happened to Indian people in this country in terms of policy formation gives us a framework in which to judge and plan our activities. One thing that is very important right now is called backlash. Backlash is really an attempt to establish policies - policies that, unfortunately, are in conflict with the policies Indian people would like to implement. At the same time, I think backlash is very much over-rated: Indian people have faced just as serious situations in the past.

Look at the era of John Collier - there's a good book on this by Kenneth Phillip. His discussion of John Collier, Indian crusader for Indian reform, gives you an idea of some of the problems we've always faced. We should look at those times, and the attitudes prevalent then, and backlash is put into perspective.

Collier came to New Mexico and was tremendously impressed with the way of life of the Pueblo Indians. He felt that the values of the Indian people should be brought into the industrial society, and that the Pueblo Indians, in particular, were a model.

These views became the basis for the policies Collier tried to push. It was a period in which land and resources were beginning to be exploited. Policies of "assimilation" were advanced which resulted in the loss of three-fifths of Indian land. So one of Collier's goals was to stop the exploitation of Indian people and resources. He also wanted to establish a different type of approach to Indian problems, one based on the traditional cultures and values of Indian people. A very important part of his approach was positive emphasis on tribal self-organization and the tribal ownership of resources.

There was tremendous organized opposition to this, due to the self interest of many people, especially people familiar with the value of Indian resources. Even people who were supposedly friends of Indians opposed Collier because they felt that in the long run assimilation would take place - many leaders said it would happen in ten to fifteen years. Even today, Indian experts often say the Indian people aren't going to be around in 25 years because assimilation is taking place so rapidly.

So it was believed that Indian sovereignty was not workable in America, that coexistent sovereign nations were not possible. This was a very strong attitude. At the same time, there was a depression, and there were lots of new Federal human service and economic development programs around. These programs were not working on Indian land. That was the scene in the thirties, and that is the way it is right now. So I don't see too much difference in what Indian people face. This is a continuing process, in which Indian people try to work in frameworks determined by agencies that relate to the Indian people.

So, number one, we view ourselves as technicians in the process of implementing policies. The other task facing us is the development of approaches that will be the basis for policy formation for a number of years. In that sense, policy is very important. Part of the strategy of our projects is this initial step in policy formulation. Direct services are very new to many of us, so we can develop some innovative approaches that not only will be very important to Indian people but also will have an impact on the agencies we work with, both at State and national levels.

State roles in relation to Indian people are becoming increasingly important. Arizona may be an extreme example, but we have never had much to do with the State. We've always dealt directly with the Federal government. But especially in these new program areas, which call for coordinated planning, and with new legislation coming out emphasizing decentralization, we are brought into direct conflict (or, possibly, cooperation) with the State. I would like to try to maximize the impact Indian people have on the States. We are a new force in terms of others, and meet opposition when they do. I don't think it's going to get any easier, especially in terms of Indian people trying to push and implement their own policies.

One basic difference between now and the era of John Collier is that Collier went to non-Indians to obtain support to develop and implement policies, even on the reservations. So that time was the initial period of democratic colonial administration. What that meant is that it wasn't the Indian people who really were in control. The difference now is that Indian people can be in positions of control; we have the capability to manage our affairs. And in many ways we are considerably ahead of non-Indians in spite of the many problems we encounter in day-to-day activities. Overall, that is a major difference.

The meetings held here are the initial phase of policy development in the area of human services. We have two roles. One is that of technicians, a role always in the past filled by non-Indians. Presently, Indians are very much involved in (and have some sense of control over) the direction of day-to-day project activities. That's different. And it's happening both in tribal government and in Federal

State and county governments, and in order to bring about effective programs, I think it is necessary to have Indian people designing these programs. So the role of the State is increasingly important - just as the overall policy of the Federal government towards the States is something to consider.

In terms of policy development, we need to take the lead. I think we are. We've had some very good results in the past two years. Take a look at HUD and set-aside for Indian governments, look at CETA and set-aside for Indian people, look at CSA, and ANA as it now is, and you see the success there. You see the success in general revenue sharing. We also see it with the BIA and IHS, with the Indian Self-Determination Act. So I think that is the trend in policy for the Indian people. We have to sustain that effort. I understand also that in the area of the Older Americans Act, Indian people can obtain direct funding for themselves. Direct funding is certainly something I continue to support whenever possible.

Our own individual tribal and organizational efforts are very important, for example, the basis for the OEO Act came from a few model projects which

DHEW administrators then developed into a whole new legislative approach. Also, the Indian Child Welfare Act is based on individual tribal efforts in the Dakotas. So that's where policy begins, right in these local projects, right in the types of things we're doing. What is going to happen in the next few days is a very good start. Thank you.

Denis Turner:

Thank you very much, John. Our next speaker will tell us what some of the current positions of the Federal government are with respect to the rights and needs of the Indian people. I'd like to introduce Michio Suzuki, Deputy Commissioner of the Administration for Public Services.

MICHIO SUZUKI

Deputy Commissioner,
APS, DHEW

I was intrigued when they said they wanted representatives of the Federal government to report on our current position on the rights and needs of the Indian people. I don't think even Jimmy Carter could get up here and really describe what position the Federal government has. The Federal government is a many splendored thing. There's been an evolution of Federal policy in this country for two hundred years. I'm not even going to pretend to talk about the overall Federal policy because that's developed by so many sources. I serve as a member of one agency - HEW - and even that one agency has many sources of policy development.

Historically, HEW has had many points of view.

Califano as secretary has been the first to say, "I am going to manage this department in a coherent and organized way." It is very tough, but I will try to tell you just where HEW is, and also my part of HEW. That's the Administration for Public Services (APS), which is the funny name for that part of HEW which administers Title XX. We're in the Office of Human Development Services (OHDS), which includes the Administration for Native Americans (ANA). To winnow this down, I'll focus on the interest I represent.

The people who operate social service systems want to be responsive to special interests. I make no pretense, however, that just because we are in human services we are always as sensitive as possible to the special needs of people, for instance, the Indian people of this nation. I've worked in human services for 25 years and, while I like to believe we are responsive, I have to say that when you deal with very large issues, and when the pressures are on you in the fight for dollars, some very special areas are often overlooked. I think it's important for those of us in the bureaucracies to have opportunities such as this meeting to be continually reminded and sensitized, to have input from the people involved. I happen to be an Asian-American but two weeks ago I was at a conference of Asian-Americans in the field of aging, and I recognized that though I'm concerned for my people, I still do not in my day-to-day work always remember what the implications are for people with special needs. In other words, we really need to be continually reminded of the critical issue of where services are delivered or not delivered, and what kind of receptivity or non-receptivity our system has.

In terms of the HEW response to the concerns of Indian people, I think our track record has not been good. That would be my estimate. Perhaps, hopefully, we have reached the point in HEW's history that we come face to face with some major policy issues. If so, that is because you have pressed the issue.

I think we are at a critical point in terms of how HEW programs respond to the needs, desires and status of the Indian people. I'm sure all of you know it, but on October 20, 1977, Califano adopted a new initiative in relation to Native Americans. Also on October 20th he issued a memo to all heads of principle operating components (in Federal jargon we call them POCs) -- for example, the Social Security

Administration, health programs, the Office of Education -- that said, "I have adopted this initiative, we are going to operate differently, we are going to try to respond to the needs of Indian peoples." I will quote one paragraph that summarizes what Califano said: "I feel strongly that HEW can and should do more to improve the health, education and welfare of American Indians and Alaskan Natives. I am committed to increasing Indian involvement in all programs in the department which affect Indian people and the policy of Indian self-determination." Now, he issued this policy statement, and then each of the units of HEW had to develop a program to implement it. Since the part of HEW that I belong to is administered by Assistant Secretary Arabella Martinez, Martinez then issued a statement instructing us to implement this initiative comprehensively across the department. Each POC of HEW is required to develop a plan for the improvement of the delivery of services to the Indian people in consultation with the Indian people. We are now examining every major program throughout HEW. But since I don't live throughout HEW, I'll tell you what's going on in our agency.

We are examining the programs we have that relate to the delivery of services where Native Americans reside. We are talking about what kind of data we have on services being delivered. Each of us has to improve the delivery of services to Indian people in a measurable way. We have to report on each program such as Title XX or IV-B* or the Older Americans Act or the rehabilitation program. In each of these, we talk about how we will measure the improvements, how we will get peoples' input, how we will lay out a time frame. In other words, this policy initiated by Califano is being implemented in our world of social services by Arabella Martinez. While I will not pretend HEW has been all that responsive to the American Indian peoples, my sense of it is that HEW, under Califano, will develop specific improvements, very specific things such as legislation in terms of trust funding, etc.

Interestingly, Title XX and the Indian Self-Determination Act were both passed by the 93rd Congress, and they happened to be signed on the same day. It's changed so fast that I can't remember who was president on January 4, 1974, but whoever was president (I guess it was Nixon) signed the Self-Determination Act. It was only after we began working on Title XX that we realized there was another act signed the same day, the Indian Self-Determination Act. We began to try to weave in some of its implication - even there we had good intent - but good intent without real knowledge can sometimes get in your way. We wrote the Title XX regulations without consulting Indian peoples. We did consult "Indian experts," but that doesn't equate with Indian people. Later, we found to our chagrin that what we tried to do was not very helpful. If you don't know what you are doing, you sometimes aren't very helpful, so you have to get direct input.

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*Of the Social Security Act.

I think we've learned our lesson with Title XX. But again, in terms of the Title XX issue, even as the regulations were being drawn, it came to the major question of direct funding. There are two things: One is that, given the current law, the only place where money can go is fifty States, the District of Columbia, and four territories. In the short run, we cannot change the law by ourselves. That takes an act of Congress. But anticipating, perhaps, that there can be changes in law, we ought to be out there with the money we have control over, which is the R&D money. This is why the strategy was developed of using our money and discretionary funding from the Administration for Native Americans.

From our perspective, working with you directly allows us to develop what in Washington is called "capacity building," that is, learning how we can go towards greater and greater involvement. I *know* direct administration is not the same as direct funding. That is very clear. But from our perspective, even with the current law, the more we work towards involvement, the more we'll be moving in a plus direction.

Some people may say, "No, that's poor, we ought not do a damned thing until direct funding comes." It's a matter of judgement. My particular feeling can be illustrated by an example: Funding is now available for the Northern Marianas, but they can't use it because they have no mechanisms to pick it up. They got a law passed allowing them the same program that Guam has, but there is no *program*. The money's available, but it can't be used because there was no advance preparation. And while I'm not pushing direct administration as an *alternative*, the more you get the direct planning and management of services within tribal jurisdiction, the more you lay the groundwork for what I understand to be a universal drive on the part of the Indian people - direct funding under Title XX (which, at the moment, under law, cannot be).

The Federal government is not one unified system. Even HEW is not. Let me just tell you very bluntly that even as we work this week around Title XX legislation for '79 and '80-'81, there are different voices within the system. There is no single mind called "HEW." (Some people say there's no mind at all!) The Secretary does not act on his own. He gets input from all directions. It is clear that our system is saying, "We have to be more responsive." Many people support direct funding. But there is another voice, not so much opposed to direct funding, but saying, "Can we let States off the hook? Aren't States carrying basic responsibility?" Even though there is in HEW concern, desire, and will as expressed by the initiative, there is another point of view which says, "Isn't the Federal responsibility to make States also more responsive? Do we just move out and say, States, okay, you're out of the picture?

Take our problem with Standing Rock, where the two governors wrote and said, "We would like to act as if Standing Rock is not part of North Dakota and not part of South Dakota. You, the Federal government, will deal with it." Now, those of you who want greater autonomy and self direction, what would you say to those two States? That they have no responsibility? Can we just carve them out as far as their responsibility? These are some of the issues we are struggling with.

Later this morning there's going to be a discussion about proposals for changing Title XX legislation and regulations. In asking the National Tribal Council to work on this, one danger is to raise expectations - but it is important to have a concrete proposal that can be examined and thrown into the hopper with the people on the hill.

The Council met with the Ways and Means staff. They called us immediately, and said, "What are your feelings?" We're saying, "We want to talk because the issues have to be examined." So the pot is boiling. But again, it's not that there is one mind in HEW that can say yea or nay, there are a number of people involved, okay?

We were asked to send forth legislative proposals on Title XX. We've asked for four things already: Expanding the Title XX ceiling, modifying the rules for funding territories, talking about modifying training on Title XX, and looking for new funding. We have written this for Arabella Martinez to send to the Secretary's office. In a separate undertaking, APS, which administers Title XX, is now working on laying out the critical issues in relation to Title XX and Native Americans. We are saying, "The time has come, in terms of legislative process, that HEW's got to address the issue." We've got to do it, and we are trying to capture input from the materials you people are developing. For instance, we clearly attach importance to the materials developed under the NTCA project regarding the modification of Title XX. That's the kind of material we want developed.

Under the system, everything has to go in two years ahead of time, so we're talking about an '80-'81, legislative cycle. The issue is being seriously examined, but I'm in no position to tell you which way it will come out because there will be agonizing and struggling over it.

In summary, I would say that John Lewis indicated the hopeful trends in terms of greater responsiveness. We recognize that Title XX does not, as a piece of legislation, address the Indian peoples directly. But the climate in HEW is one of receptivity, of desire to be responsive. Again, I want to caution you. Even when the top of the administration says, "I want to go this way," it doesn't happen just because there is will or desire. There are a whole series of constituencies that have to be brought in. And when we talk about any major change in Title XX, I want to caution you that it's not just a question of the Carter administration or HEW. I'd like to say hurray and march out to lead the battle, but I ought to be realistic. I think we have a hospitable climate - you've got the attention now, not thanks to us but thanks to you. As I said to the Asian-American group, you've got to kick the Feds where it counts. Not in the head, some place more sensitive. It's important that this dialogue keep going. But again, even though HEW is receptive, there are an awful lot of things that have to happen, a lot of bases you have to touch.

My feeling is that the effort you people are putting into the project, with support from ANA and APS in OHDS, is important in this direction. The things you are pushing for probably represent an idea whose time has come. But again, even though you may want changes in Title XX down the line, don't lose sight of Title XX and the programs that exist right now. As you work on a *different* way of doing business, keep up with business the way it is now and be sure that, even under a system you may feel is not equitable, you don't lose sight of the needs of the people you represent. For instance, the urban initiative is going to add 150 million dollars to the Title XX pot. Now interestingly, it's called an urban initiative but it's not limited to urban areas. As a matter of fact, the Carter administration clearly asked for it to be available in rural as well as urban areas. As you look at Title XX funding, even under the current rules, the time to strike to get a bigger piece of the action is when there is increased money. If the money is reduced, it's hard to get changes because you have to rob Peter to pay Paul. Now if Paul is being shortchanged, maybe we should rob Peter - I don't say that shouldn't happen. But when new money is beginning to flow, you ought to be in there before the money arrives so that special areas of concern are at least known.

I appreciate the opportunity to share in this rambling way with you what are perhaps hopeful signs of change, with a note of caution that change doesn't come fast or easily, and that you have to build coalitions with other groups. There are many, many groups who are not at this moment involved with the American Indian issue. My urging would be that you look at coalition-building. For instance, if you're talking about Indian child welfare, you want to be sure that child welfare interests are brought on board with your special interests. In the same way, if you're starting to talk about concern for the Indian aging population, don't go out there and surprise your aging constituents. Before that you want to build some bridges laterally with the aging coalition. Some of these interest groups will be responsive and will support your effort as a shared endeavor. But that's just a personal observation. Thank you very much.

CYNTHIA DEUTERMANN

Project Officer,
Research and Demonstration Projects,
APS, DHEW

Thank you very much. What I want to do this morning is to start by looking at our eleven projects as a group, rather than separately. During the next day and a half you will focus on your separate project activities, but they do form an important whole. Mike has already discussed some of the commitments HEW has made and how these projects fit into the Indian initiative.

I just started as Project Officer in March, so I had to go back through all the materials to determine what the goals were. I came upon this guiding principle: That Title XX should be operated *by* Indians *for* Indians, to the maximum extent possible, and that Indian people should set program standards.

From this principle came some of the goals of the projects. We are developing new strategies and new service capabilities in the social services area. We're also testing the feasibility of several different approaches to providing social services to Indian people. And finally, we are developing a group of service deliverers, so that, regardless of what happens in the future, there will be people who are experienced in providing social services for Indian people.

In your day-to-day activities, I'm sure you're mostly concerned with individual and specific projects. We, however, do tend to look at them as a group, and there are eleven projects in this group. Eight of them are demonstration efforts. There are also two supporting projects: the evaluation contract (which we have with Pacific Consultants) and the technical assistance project (that Denis Turner has). There is also the policy research project, which I would like to say a few words about.

That project, as you can see from your program, is a test of the feasibility of amending Title XX to improve the delivery of services to Indians. It will be completed this year. It may seem strange that this should be the first project finished, and not last, so that your experiences could be built into it. However, this method of timing may also be a benefit. As Mike explained, it takes a long time for the wheels of bureaucracy to grind. And so the demonstration projects will be operating for two years while the legislative proposal is considered. Your experience will provide us with continuing support and justification for change, and with proposals for change.

In other words, we'll have continuing operating knowledge as we are called on to explain the legislative proposals. You obviously are going to have some direct discussion of this proposal. There are going to be more meetings this summer which Angela Russell will describe, and you're welcome to send your comments to her. So we hope that you'll take an active part in working on this project.

Now, the next set of projects are the supporting projects, the technical assistance and evaluation contracts. These are designed to support the demonstration effort and help the projects achieve their individual goals and the goals of the whole effort.

The technical assistance project is designed so that technical assistance can be highly specific to your needs. It's not limited to program areas, it can be in any area that you need assistance - whatever it takes for you to meet your goals and objectives. The evaluation contract you know better than I, because they've been out to visit you all, and you have had continuing discussions and correspondence.

There are two major types of evaluation strategies. One is called summative, where an evaluator comes in at the end of a project and measures how well you did. It is an impartial measurement, a scientific approach. There's also a kind of evaluation called formative evaluation. This is quite a different kind of activity, and this is what we are doing. The key activity in this type of evaluation is to insure that goals are operationally defined. This should sound very familiar to you all. A key feature is the need for close collaboration between the project people and the evaluator so that goals can be operationally defined. Your objectives are very important, and the documentation you provide is also very important. In the handout Vi Smith just distributed are the cross-site objectives for each project, the specific project objectives, and the documentation required. Also described is how the projects have been categorized. I suggest that you take a look at this. Look at what you're doing and look at what other projects are doing. You can do a lot of sharing this way with people aiming towards the same goals, and you can get help on your problems from someone engaging in similar activities.

Finally, we will talk about the demonstration projects, which are the most important of all. These projects are going to demonstrate what works, I'm convinced of that.

There are eight demonstration projects and they're operating in nine States. In 20% of the States, right? There are 36 tribal organizations involved and a lot of people. Not only are each of you involved but I know that not everybody in every project could come to this meeting. So that, collectively, these projects have greater size, diversity and political power than any single project individually.

Despite the operational and program differences of these projects, all share three very important common objectives. These are: 1) to establish and implement tribally-controlled projects; 2) to involve Indians as decision-makers, staff and participants; and 3) to provide appropriate, culturally-relevant training and technical assistance services. These are the critical elements, and they reflect the guiding principle I mentioned earlier. Just to recap: These projects are to be tribally-controlled; Indians are to be decision-makers; and the services provided are to be culturally-relevant. That's what makes these projects unique, and I feel that they need to be taken advantage of. I hope that during our discussions today and tomorrow you will focus your comments on these elements and issues.

Finally, what all this means, for us, is this: We have depth and breadth in our demonstration effort that you don't usually find. Similar objectives will be achieved in various places using different methods. We will have a rather large body of evidence as justification for making changes in the way social services are delivered to the Indian people. You, also, are in an enviable position, because you are not one demonstration project seeking to do something all by yourself and not knowing whom to turn to. You are in a group where there are others facing the same challenges and problems. You have a group of colleagues with whom you can discuss your operational questions and your experiences.

I hope this conference will serve as a good forum for that kind of discussion. It's very important for you to share with each other both your successes and your problems. It has been my experience in working with demonstration activities that usually someone fifty miles down the road has solved *your* "insurmountable" problem. This is very common. You can get a lot of practical, operational help from each other.

The demonstration projects are important both individually and collectively. Individually, they represent an effort on the part of each project to improve social services. Collectively, these projects will accomplish a number of important objectives. They're going to improve service delivery to Indians; increase Indian participation in Title XX planning; and improve Indian capacity to plan, manage, deliver, and evaluate social and child welfare services. And, finally, we will have a legislative proposal for Indian Title XX programs.

ANGELA RUSSELL

National Tribal Chairmen's Association
(NTCA)

I'm really delighted to be here today. I didn't realize there were so many people involved in these projects and it's really gratifying to see.

Now, there are people in the audience I need to introduce because they are part of the National Tribal Chairmen's Association project. As some of you may know, APS funded the NTCA to test the feasibility of an amendment to Title XX. NTCA in turn has four subcontractors: The Denver Research Institute (where I'm located); the Arizona Inter-Tribal Council, of which John Lewis is Executive Director; and the Mississippi Choctaw Tribe, of which Lari York is project director. Lari, do you want to raise your hand? We also have a legal consultant, and a coordinator for the NTCA project in Washington. So we've got people all over the place.

I came on board in December, when we really got officially started. The subcontractors have worked separately, looking at three States: Minnesota, which is a PL 280 State (with the exception of the Red Lake Chippewa Tribe); Arizona, where the tribes assume their own jurisdiction through their tribal courts; and Mississippi, where the Choctaw Tribe is in limbo right now because the State of Mississippi is challenging their Federal status. We held one workshop in each of these three areas and one in Washington, D.C.

Notice, in your packet, that you have information on the NTCA project outlining our three phases. Presently, we are going into our second phase, which will be regional workshops. In the earlier workshops, we primarily invited people from the three States. The regional workshops now will try to pick up people we still have not talked with about the amendment. These will probably be representatives from a good number of tribes. It really is a sizeable group of people, and we do have a limited budget, so if you have ideas on how we can best do this, we are open to suggestions.

We're scheduled to have four regional workshops. One will possibly be held in Denver (for the northern plains). We need to have one in the southwest, Albuquerque or Oklahoma City. Also, we need to have one in the southeast because we have the Seminoles in Florida and the Cherokees in North Carolina and the Penobscots and Passamaquaddys up in Maine. The fourth one we're tentatively planning to have in Portland or Seattle, because we need to reach the California tribes as well as the tribes in Washington, Oregon, and Idaho. We haven't quite figured out yet what to do about Alaska because they definitely will be included but exactly where still hasn't been resolved. There are seventy thousand native people up in Alaska.

As we have these workshops, we're trying to get recommendations on what is going to work with the amendment. What seems to be really good about it, what seems to be really lacking. So I hope some of you have a chance to look at the amendment and ask questions about it. John Lewis is here, Lari York is here, and I'm here, and we would be happy to respond.

I'd like to give you a little background on how this whole project came about. Denver Research Institute, which is under the auspices of the Univeristy of Denver, has done two research projects, one in 1975 and one in 1976. Both studies found wide approval for direct funding. The first one, completed in 1975, was called Legal and Jurisdictional Problems in the Delivery of SRS Child Welfare Services on Indian Reservations. Officials in eight States and on ten reservations were interviewed. They were asked about possible policy alternatives for resolving the legal and jurisdictional problems in the delivery of SRS Child Welfare Services. At the conclusion of the interview, they were asked to choose the best and worst alternatives from a list of 11 options. Interestingly, the majority agreed that the worst situation was the present situation. All responding State officials, two-thirds of the county respondents, 85% of the BIA respondents, and 90% of the tribal respondents preferred a system where tribes could be the major social service providers on reservations. Both State and county respondents were evenly divided between those preferring tribal operation of services under contract to State agencies and those preferring a direct Federal/tribal relationship.

The State's limited power to tax and exercise jurisdiction on many reservations has often been cited as a reason why States cannot provide the full range of social security programs on reservations. It has also been charged that this argument has been used to hide a pattern of discriminatory non-provision of services to Indians. But it is clear, from the 1975 study, that by law States cannot refuse to provide services to reservation Indians. At the same time, legal and financial barriers to the full provision of services are very real.

The second study, involving social services, is entitled Indian Child Welfare: A State of the Field Study. It was concluded in 1976. The study was broad in the sense that it included a mail survey of Child Welfare Service divisions within Departments of Social Services in 22 States with substantial Indian populations. The latest data shows that there are 28 States with Indian populations, and 22 have large numbers of Indian people --

that's very significant. Out of these 22, 17 completed the survey. There were also 19 field research sites which included 11 reservations and four urban areas. There were also household surveys on one reservation and one urban area. There were in-depth case studies of the Indian Child Welfare programs of seven agencies.

This study really outlined the barriers to the effective delivery of child welfare services to Indians. SRS program instructions indicate clearly that State agencies must work with tribal courts and recognize tribal court orders in matters of child welfare services. However, the Denver Research Institute survey shows that very few counties routinely notify tribal courts of cases involving reservation children. Two State courts indicated they would not recognize tribal court orders and three stated they would do so only in certain circumstances. Considering that the licensing of child care facilities and day care centers requires either State action or approval by tribal government, the problem here is how to make this work. What procedure would resolve this licensing dilemma?

Also, there are problems with service contracts between States and tribal governments because States lack the power to take tribal governments to court to recover funds which might be spent outside the terms of the contract or without proper documentation. Another barrier is the 25% match required for Title XX. This is a problem because Indian reservations aren't taxable. One or two tribes are at least talking about taxing within their reservation areas but that's still a long way off when we're talking about tax monies or tribal revenues to match Title XX.

The survey further reported that inter-agency relationships are in need of improvement. In many areas there is very little communication. Many States are reluctant to take into account the special problems of service provision to Indians. The existence of these problems was affirmed by 65.5% of the respondents to field interviews and mail questionnaires. In 1974, HEW instructions stated that the present system of foster care and day care for Indian children living on reservations is defeating the goals of the Social Security Act, that is, to strengthen family life and permit children to remain in their own homes. Consequently, and this is a quote, "If different standards would be more likely to accomplish the goals of the act, they are permissible in order to remove the hardships, and, in extreme cases, may be required." In spite of this instruction, research data shows that only a small minority of counties at survey sites have adopted special standards or hired special staff for Indian cases, or have routinely followed special procedures such as recruiting Indian foster parents. Of 17 States responding to the mail survey, only four included special materials about Indian child welfare in their State plans or manuals. Only Washington State included a number of broad policies defining how Indian child welfare matters should be handled.

Another barrier to the effective delivery of child welfare services to Indians is the lack of Indian involvement in child welfare matters, such as serving on advisory boards, setting up Indian foster and adoptive homes, etc. Over a third of the agency respondents who felt that child welfare services had improved over the last five years cited Indian involvement as a reason for the improvement.

Distances between county welfare offices and reservations is another major barrier to the provision of services. Only three of twelve reservation sites studied had county offices while two additional sites had offices within one mile of the reservation boundaries. At the other seven sites, 70 to 100 miles of travel might be necessary in order to visit county welfare offices. There is a real difficulty with boundary lines, too, because some reservations overlap several counties, or even States (for example, the Navajo reservation).

The study noted that planning and provision of services is hampered by mistrust, prejudice, and communication problems. Although difficult to measure, many respondents suggested that they are problems.

The study took a look at child welfare services provided by the Bureau of Indian Affairs and the Indian Health Service. Both have limited funds and limited authority for social service delivery. Also, Indian staff is pretty minimal -- five of ten area offices have no Indian professional positions -- and only two are headed by Indian people (this is for the entire Bureau).

There wasn't terribly much information on social service programs developed by tribes because these are relatively new programs. There's just no long-term funding for tribes to really develop their programs. The study went on to state unmet needs as seen by Indian people. The study found that they needed a larger number of worthwhile activities in their communities, they needed programs to help deal with family tensions, family disorganization. Specifically, they cited the inadequacy of BIA boarding schools as child welfare service agencies. Some of you may not know that 67% of 50 boarding schools responding to the survey indicated that placements are made for social rather than educational reasons and many times there just isn't service personnel to really help them with the problems they bring.

There are four major policy implications as a result of the child welfare study: 1) the operation of programs by tribes and other Indian organizations is desirable; 2) more recognition is needed of inconsistencies between Indian tribal cultures and current child welfare service techniques, standards and goals; 3) the placement of Indian children in

Indian adoptive and foster homes is needed; and 4) the commitment of new resources to meet the unmet needs of Indian families and children will be required.

Many of the same issues outlined by the two studies as barriers to the effective delivery of social services still exist today with no resolution of these problem issues except by legislation. In the three States we are studying (Arizona, Minnesota, and Mississippi) these barriers still exist. This situation extends beyond the States we have studied. There are tribes in the States of Maine and North Carolina for example, who are just now receiving Federal recognition and may very well find themselves excluded from State social service programs.

At a recent Title XX workshop in Arizona, the representative of the Department of Economic Security noted that Arizona State laws are obstacles. He indicated that the State is exploring contracting with tribes but that there is a real impasse on how this might work. The real issue seems to be who will have control. There are definite problems in contracting, and the issue of licensing for day care centers is without immediate resolution, to the point that these services are not available in reservation areas. Those of you from reservation communities -- I'm interested in knowing how many of you have day care services through Title XX on your reservations -- One! Hurray! This certainly is a big area where tribes need services.

There's no question the problem we have with Title XX funding is trying to get around the issue of jurisdiction: Who has jurisdiction? Who has control? On the Navajo Reservation, they've contracted with New Mexico and Arizona for services that are really nonjurisdictional -- anytime we get to a jurisdictional issue we reach such an impasse with the State that it seems more effective for tribes to try to get funding through Title XX for services of a nonjurisdictional nature. These are such things as chore, and information and referral services.

Now, getting back to our draft -- let me just give you some of the highlights. We have asked that direct funding be available to the tribal governments of Federally recognized tribes. We have provided also for the use of what we call administrative organizations. These are Indian or non-Indian organizations that may be available if a tribe chooses not to provide services -- if Tribe X decides that their priorities are elsewhere, or they don't have the personnel, or whatever, they can then contract with an administrative organization to provide services. We are thinking right now about 4% of the total Title XX appropriation for Indian programs. Also, we are asking that it be with a no match clause which hopefully will mean tribes won't have to put up 25% to get 75%. Drafting the amendment was a very difficult task, but we did come up with an amendment we feel comfortable with -- while, of course, this is a process, and we recognize that it is subject to change.

A lot of tribes are very concerned (especially the little tribes) about the formula we worked out for the allocation of money. Briefly, for 95% of the funding, half would be based on population and half would be based on income. The remaining 5% would be based on what we call "rurality," which means that a place is really isolated and it's difficult for it to get services because of the distances and the small population. Since tribes will be the direct grantees, they should be the ones that determine planning and training needs. We do ask that tribes which get Title XX funding (assuming the Act will pass and be implemented) develop licensing standards for their reservation areas.

There is going to be some question about the whole urban area -- we really wrestled with that one; it was very difficult to decide upon. In light of the studies Denver Research has done, it appears to us the Act should be geared toward Federally recognized tribes, because urban areas hopefully have access to other Title XX programs available. Also, within reservations the real barrier seems to be jurisdiction, and while we recognize there are problems in urban areas too, at least you don't have the jurisdictional problems that reservation residents have. We tried to provide for the urban issue by having tribes define for themselves what their service population will be, so that a tribe could include urban tribal members in a service program if they decided to. Now, I know that may not be very realistic, but this is something that has to be determined tribe-by-tribe. In the plains States, many of the people live close to reservation areas and can come to the reservations for services -- so something like that may work for us while for the Navajos in Los Angeles it wouldn't work.

We met with the Sub-Committee of the House Ways and Means Committee in Washington and provided testimony on raising the ceiling on Title XX -- right now it is $2.5 billion. The ceiling would be raised to $2.9 billion beginning fiscal year '79 and $3.45 billion in 1980 -- this is the proposed bill; this is the one we gave testimony on.

We have started the legislative effort in the sense that direct funding to tribal governments has not been raised as an issue. We have people like John Lewis on board who know the legislative aspect pretty well. It really requires that you know people in Washington and start organizing your own tribes or inter-tribal councils. I brought along copies of our statement in Washington for people wishing to read it.

I'd like to add just one more thing. I know many tribal people have said, "Well, if it is 4%, what does that mean to my tribe?" Let me go over this briefly: The Title XX appropriation right now is $2.5 billion. If we're talking about 4% of that amount, we're talking about $100 million. If we're talking about 1%, that would be $25 million. In November, 1977, the BIA said there were 648,683 Indian people. The Self-Determination data says 453,682, and this includes 272 tribes. The per-capita break-down at 4% of $2.5 billion with the higher population of 648,000 would be $152 per person; with the population of 453,000 it would be $220 per person. I tried yesterday afternoon to make up some examples of what this might mean to particular tribes. One of them was Standing Rock. The Self-Determination Grant data shows that in Standing Rock the population is 4,868. Using the higher figure, we come up with a total of $1,068,760 for a Title XX program at 4%. Another tribe is the Saginaw-Chippewa from Michigan. They have a population of 367 individuals, so at the higher figure we're talking about $80,000. Of course, everyone is curious to know how much the Navajos would get. Just on a population basis, they have 125,520 individuals, so we're talking about $27 million -- let me caution you, these are just estimates. And the 4% we are talking about is a separate appropriation over and above present Title XX allocations.

We also are very interested in finding how many tribes are presently contracting to provide social services. I found only one-third of the tribes within nine Bureau of Social Service areas contracting to deliver their own social services. We're hoping that by October, our complete study will be available. After our regional workshop, we will be contacting a panel of 20 or so people. These will be people involved in direct funding or in the provision of services. We want them to take a look at the methodology we've developed in coming up with our amendment and our data in general, and then to make any recommendations. After that point we will be going to print, so the study should be available by end of October. Thank you.

DISCUSSION PERIOD

John Lewis

First of all, I'd like to say a few things about Title XX. We may be misleading you in terms of the way we're talking about money. Although it's always of interest, that's a long way off and Title XX, right now, is certainly not a money program for Indian people.

In Arizona, it was a very dramatic experience when Title XX came, because at that time Arizona had only been using approximately $6 million of these types of monies. When Title XX came, with the emphasis on comprehensive planning, community input into planning, and the possibility of local organizations delivering social services, we had approximately $50-60 million worth of proposals for the

$24 million. With the weighted formula, however, the allocation to Indian people and Indian tribes was very small. That would also be the situation in States where there are fewer Indian people, because the Title XX allocation is an overall grant based on State population, nothing else. The State takes it and works out a formula to divide the money. So, for the Arizona tribes, the issue was not money. The issue was legal jurisdictional problems, opportunities to begin addressing those problems that stopped Indian services.

The weighted formula amounts of most tribes would be fairly small. Maybe they would get one social worker out of it, one outreach worker, and that is what it comes down to. So Title XX needs to be seen as a problem in terms of the relationship of tribal organizations to State and Federal government -- that's where it's at. You can talk about putting in percentages and going after money, but the tribes in Arizona would rather maintain their legal jurisdictional integrity.

Michio Suzuki

May I just comment on the figures? I really don't want to argue against 4%, okay? That's a very legitimate percentage. But, let me tell you where a Federal and national perspective comes into play.

It takes eight million people in the United States to earn 4%. Asking for 4%, that means a premium 16 times greater for Native Americans than for other Americans. When you look at the 4%, you may say, "Well, my goodness, in terms of my particular area and group that only comes out to such and such." But, when you look at it in terms of national perspective (and ultimately you have to sell Congress on this) you end up with a 16:1 relationship. That will not be an easy argument to push through Congress.

Even the Urban Initiative announced by President Carter is having tough sledding, though it totals only $150 million for the whole United States. Four percent of the $3 billion ceiling we'll probably have is about $120 million. So it depends on how you look at it. You have to face realities. That's where Congress will be coming from.

Maybe the best way is not to put it in the ceiling at all, but fund it separately, so that Congress doesn't feel they're losing something in order to fund this. Psychologically, this approach is easier to push.

These are some of the issues we'll be talking about as we pursue legislative strategy. I'm not saying 4% is wrong. I'm just saying that's the kind of sledding you'll face.

Angela Russell

May I add a quick comment? We came up with 4% primarily because of the CETA model. As many of you may know, the Indian Manpower section of the CETA legislation (Title III) does have 4%.

One thing we've become pretty convinced about is that, if we're going to move anywhere on Title XX Indian Legislation, we're going to have to have support from the States. Arizona, with a huge Indian population, is far ahead of most other States in this respect. They've had negotiations between the State and the tribes. Montana is at the opposite end of the spectrum. There, the State and the tribes just do not talk. So that, in some of the States, it is going to take a real revolution to get a commitment.

Question

Angela, I was at the Phoenix Conference on this Title XX legislation and since then you've done some work on the amendment. One of my arguments then was that you should go for a higher level of visibility in the Federal establishment, to the point of requiring bi-annual reports to Congress, or a White House Conference, as a means of dramatizing service non-delivery.

One of the most important things would be to go to the highest possible level of organizational authority. In this draft of your amendment you're calling for a special unit within APS, putting it at a fairly low level of visibility in the Federal establishment. What led you to make that determination?

Angela Russell

You made some very valid recommendations at our workshop in Phoenix in May. On those, we just haven't gotten back together to redraft the amendment. Hopefully, we will do that before the regional meetings in July. Your suggestions, in particular, we certainly are considering.

Michio Suzuki

Let me just add that the amendment as I read it does not do away with the Administration on Native

Americans, which right now is equal in stature to Public Services.

I work on Title XX, but in OHDS there's more service money outside Title XX than in Title XX. Well, maybe it's 50-50. Title XX seems rather large because it's one block of dollars, but take day care: out of 2½ billion Federal dollars, XX provides less than $1 billion. So, in terms of your strategy, you may have to take a more comprehensive approach. I like to think that XX is the beginning and the end, but it isn't.

Question

If we work with the States, what does that mean for the Federal government? Will they forget their responsibility?

Michio Suzuki

I think both the Federal government and the States have not been doing adequate jobs. But the point is that Senators and Congressmen represent States. If money is going to be increased, they'll vote it in. Okay? And interestingly, they do represent States. So if you say, "States are out of the picture," they're just not able to picture where the funding is going. They vote very directly their States' interests.

In the long run, is it better to cut away State responsibility? Or is there some degree of responsibility that is inherently theirs? If States back off, would the Indian people lose out?

These are the issues being raised. I'm not even raising them, since personally I have little concern about direct funding under Title XX. My big concern is whether you're ever going to get enough money under Title XX because it's so population based. If Title XX were divided among States on the basis of need, then you'd have more leverage. But it isn't. Every State gets their percentage regardless of whether they have more or less poor people. The money gets divided on a head count. In a program that's so head count oriented, I'm fearful that you're never going to get the kind of compensatory funding you need. Even five times as much is less than one third of what you want. I'm afraid there may not be enough critical dollars to really be worth the effort. You may have to find another mechanism.

Question

HEW is such a bureaucracy that I don't really know what's going on.

Michio Suzuki

I don't pretend that even I know. What you really have to do is case the joint. XX should be looked at, but so should all the funding mechanisms. Arabella Martinez doesn't just administer Title XX programs, she tries to make all the funding sources make sense.

Question

What we need is on-going money, not some three-year program. It's up to the Federal government to provide this because the BIA won't.

Michio Suzuki

I agree. We're drafting a paper saying that demonstration programs are dangerous because they often raise expectations only to leave them unfulfilled. To rely for service delivery money on projects is courting disaster several years down the line.

Joe Faris, ANA

We'd like existing projects to be continued after the demonstration period is over. You are the vanguard of the American Indian community. You are trying to make sure that these projects are successful so that we can show them as an example to Congress, "Look, it can be done."

Wilma Thomas

But this funding is only for three years. It's not helping Indian people with long-term funding for social services. Every year we scrounge around looking for some money.

Goldie Denney

I have a question for John Lewis. He stated that his concern primarily is the jurisdictional portion of the Title XX amendment. John, do you see that as a partial repeal of Public Law 280? If it is interpreted as such, do you see this as a roadblock to the passage of the amendment?

John Lewis

The problem of the 280 States, and even of the non-280 States, is having the opportunity to exercise our sovereign powers. Anything that tends to strengthen that possibility is going to be beneficial. So I think the positive impact of Title XX is to strengthen the sovereignty of our nations. I don't know if that answers your question, Goldie.

Goldie Denney

The National Congress of American Indians, which represents 240 tribes throughout the nation, will be drafting a policy statement on your draft amendment. Sometimes we Indians are our own worst enemies. At the end of the year's study period we may have a draft amendment that a good number of tribes have not had the opportunity to comment upon. And tribes themselves may not support this amendment because they've had no input into it. Now, do you have any plans for submitting to the Convention this draft amendment along with your strategy, so that it can be thoroughly examined? It seems very important to be able to say that 240 tribes support it.

John Lewis

Experience with the Indian Reorganization Act shows that many tribes may agree with your legislation but want to add something else to it. One of the Arizona tribes wanted to add something about securing their water rights and attach the provision to the Indian Reorganization Act before they would support it.

As we meet with Indian tribes, groups, and individuals, we find they would like to include provisions about their special interests. That can cause problems. In the long run, it is beneficial to be more aware of those interests and to support them whenever possible. But in terms of our involvement in the Conference and similar things, Angela can respond to that.

Angela Russell

I would hope that we could be involved in a number of these national meetings. NTCA as you know had a national meeting just a few weeks ago in Minneapolis. That probably didn't turn out the way they anticipated, but we did have somebody on hand to talk about the amendment.

Question

I have a problem with this draft amendment excluding urban Indians and unrecognized tribes.

Joe Faris

ANA (Administration for Native Americans) thinks that this Title XX amendment should address the problem of the availability of Title XX services to American Indians in urban areas.

Most American Indians live in urban areas, outside of reservations. It's easier for us just to address the legally recognized tribes, but maybe we can get Congress to address this too.

A point on the first question raised is that within HEW there is the Inter-Departmental Council on Indian Affairs. That's part of ANA, and the Secretary has given it more responsibility. They can initiate things, and push them through, and give them visibility. So, actually, since they have begun to get involved with these projects, they will give it some visibility.

Question

About Title XX: We find that a lot of States are using the Indian head count to generate Federal dollars. Yet, when those bucks come in, the tribes are being left out. In the regulations, there are noncompliance provisions which can be used to hold the States accountable for not adhering to the regulations. Why have noncompliance charges never been filed against them?

Michio Suzuki

First of all, we don't go to the States and say, "Give us your population count," we go to the Census. The Census number includes Indians, but that isn't the point of it. You make it sound as if the States were playing games, and that isn't the case.

The specific allegation that there is discriminatory nonprovision of services can be filed through the basic Title VI Civil Rights provision. Now, to the best of my knowledge, we have not had any formal complaint on this cutting of Indian services.

Now let me just say this: One of the problems you're going to face is that the $2.5 billion set aside by the Federal government for social services is obviously not enough to meet the social service needs of the people of this country. Okay? We are constantly being bombarded by groups saying their needs are not being met. This is true for all groups. One of the dilemmas you have is that there are unmet needs all over the place. If unmet needs fall harder on some people than others, we can issue citations under Title VI or under the Title XX program. But remember this: When Title XX was passed, one of the problems that existed was "Statewideness," that you had to do the same thing all over. In the development of Title XX, Statewideness was eliminated. It was agreed in the drafting of that legislation that for the first time under the Social Security Act you could have different services in different parts of the State. If you live in one part of the State, you don't have the right to say, "People in another part of the State are getting something we're not getting." That's a problem.

Another problem is that more money will be spent in 1979 and fewer people served, because the $2.5 billion ceiling set in October, 1972, now represents $1.6 billion 1972 dollars. We've lost a billion dollars of service capacity to inflation in 5-6 years. Okay? When you have that kind of shrinkage, it's difficult to deal with people who say they're not getting enough. People from the cities say they're not getting enough, people from the country say the same. But, if there is a very specific, blatant, real case, I say go ahead, the mechanisms are there.

Question

Along these same lines, who has responsibility for approving State plans?

Michio Suzuki

Under the law that was passed, HEW is barred from approving or disapproving State plans. If you'll recall, that law also says that HEW can't even define what a social service is. That's true!

That law was passed as a compromise after a major battle between States and the Federal government. It's a crazy law. I spent a year working on it, I'm not attacking it. But it's a piece of compromise legislation with a relatively short life-span, five years or so. If you will recall, we have over $2 billion in litigation between us and the States around service claims under IVa and VI. That's being settled by a new law.

Many restrictions were placed on the program, so that it cannot get much bigger until it changes. It will change, I think, early in the 1980's. But again, even though it may change, if there is capricious discriminatory action, I would urge you to press this directly through the regional office of HEW. Start the process.

I mean, I don't want to be accused of having gone to New Mexico to foment a revolt, but if you feel cheated, it's no use just bringing it up at a Conference. You ought to be working this out through the mechanisms.

Question

You talked about increasing the ceiling. What impact would this have on the direct funding proposal that's under consideration now?

Michio Suzuki

There is a bill, the Frazer-Keys bill, with 120 sponsors, which would raise the ceiling as Angela said. Starting in 1979 it would move from 2.5 to 2.9. In 1980 it would move to 3.15 billion and in 1981 it would move to 3.45 billion.

The NTCA has recommended direct funding. I don't think Congress will agree. But the idea is now alive and Congress is faced with it.

I don't think the rise either helps or hurts direct funding. At least, that's my gut reaction. But you're never going to get direct funding if it's perceived as a loss of State funding. In other words, if there were magic and somebody said the ceiling would go to $5 billion and that $200 million will have to be for direct funding, then maybe. . .

Obviously, if you're going to get a lot more, giving a little somewhere else is easier. But that's a matter of timing and strategy. Right now the States are having to cut back. They're cutting out contractors in some States. For them to feel they're losing another nickel drives them up the wall. So in that sense, I think it's important that more money be there when you push this.

Question

What is the reality of direct funding?

Michio Suzuki

Direct funding is within the realm of possibility. There is precedent in major Federal programs. But if you're going to look at social services, maybe the real issue is to look at all the basic service delivery mechanisms.

Now, I'm moving a little into dangerous territory -- I work for HEW and in no way for the BIA. But though there's uncertainty about what the BIA's social service responsibility is, there is such a responsibility. Is it residual? Is it only when other mechanisms fail? Or what? I'm in an area I don't know anything about, really. All I'm saying is that from a Washington viewers' perspective, when there are many mechanisms that spend money on services, it's very hard to get a major change in one without somehow taking into account the other mechanisms. Someone just asked the question, "Gee, if they're cutting BIA, is HEW or another department going to pick it up?" You immediately make that connection.

In terms of the Indian people's strategy, maybe you need to look at a more comprehensive approach. Like in the Standing Rock proposal, they didn't ask for just Title XX, they raised the question of all Social Security Act funding plus food stamps and more. Now, that boggles the Federal mind, but it makes the Federal mind think.

I'm suggesting that on a national basis there may be a need to examine the whole range. If you just do it on XX you're always going to be bugged about the population head count. No one says about the BIA, "How does that relate to what the rest of the country gets?" Because no one assumes that what the BIA delivers has to be compared to what they're getting. There is a very different kind of mind-set. I'm suggesting that maybe a different kind of mind-set can move this much further than just a XX change. That's unofficial, of course, that and a nickel will get you five pennies, okay?

Question

I'd like to ask Angela what kind of input Indians in urban areas are going to have into the final draft of this amendment. Will they be notified and asked for comments?

Angela Russell

Our basic feeling is that reservation Indians face legal and jurisdictional barriers to getting services through Title XX. That's the direction we've gone. We tried to provide for urban populations by the service populations. If tribes choose to include their urban residents in the service population, that's one way of meeting urban needs.

I have a feeling the amendment could change to some extent through the whole process of meetings. John Lewis suggested a set-aside for urban Indians. I really don't know the realities of something like that.

Comment

Having the tribes serve people off the reservation is a problem. Often, many of the reservation's tribal people will be 800 or 900 miles away. There would be no way to service people that far away.

Another thing is that the Indian Child Welfare Act has a very restrictive definition of what Indians are, just as the draft amendment does. Two months ago, before a House Sub-Committee, it was proposed that they expand their definition to include off-reservation Indians. So what they have done in their write-up, which is now before the full House, is that, with respect to jurisdiction, the definition of Indians would be restricted, but in respect to delivering services to off-reservation Indian people, they would adopt a broader definition of Indians.

Joe Faris

If you do include Indians in urban areas, you'll be much stronger and have more support when you go before Congress.

Denis Turner

Okay, we'll conclude this morning's session. We'll return at 2:30.

Goals & Strategies of the Demonstration Projects

Panel Presentations

by

DARLEIN BAUER - UTE MOUNTAIN UTE TRIBE
HUGH GROGAN - SISSETON-WAHPETON SIOUX TRIBE
SUZANNE LETENDRE - BOSTON INDIAN COUNCIL
TONY JONES - STANDING ROCK SIOUX TRIBE
WILMA THOMAS - MICHIGAN INTER-TRIBAL COUNCIL
TERRENCE SCHOMBURG - WASHINGTON, BUREAU OF SOCIAL SERVICES
RUTH HOUGHTON - INTER-TRIBAL COUNCIL OF ARIZONA, INC.
KATE ORIEDO - NORTH CAROLINA COMMISSION ON INDIAN AFFAIRS

INTRODUCTION

VIOLET SMITH

Pacific Consultants
Panel Moderator

This afternoon we're going to talk about the projects -- what they need to do, what they're trying to do, how they're doing it, and the kinds of problems they're running into. I want to quote three of this morning's speakers because what they said indicated how important this session really is.

John Lewis said that policy emerges in the course of carrying out programs, and, as we discuss the individual projects, we should keep this important point in mind. Mike said that OHDS is defining objectives and seeking ways to measure improvement in service delivery, with input from Indian people. Clearly, the improvement of service delivery and the involvement of Indian people are two key elements of the projects; the potential of these projects for impacting national policy is therefore very great.

Cynthia pointed out that, as a group, these projects can demonstrate what happens when projects are established under Indian tribal control -- when Indians are involved as decision makers, staff members, and participants -- and when services are culturally relevant.

This afternoon, and in all our discussions, we hope to pursue these issues in depth.

Our format for this afternoon will be a brief presentation from each project director on the context in which the project exists, who the grantee is, what the project objectives are, and what particular activities have been undertaken. After each five minute presentation, we'll have exchanges among the panel and questions from the audience. We hope to involve you as well as the panelists in discussion concerning real life problems that have been experienced.

The projects cluster into three fundamental models, so we'll ask people to speak in three groups.

The first group is made up of three projects that deliver services now. These "service delivery" projects will speak first. The second group is made up of three projects preparing to begin service delivery. This group of projects has been designated the "program development" model. The third group is made up of two projects working on "capacity building." Projects in this model will focus on training and technical assistance to tribal leaders -- they will not be serving clients directly.

I'm going to ask Darlein Bauer of the Ute Mountain Ute service delivery program to make the first presentation, please.

DARLEIN BAUER

Director
Family Child Resource Center
Ute Mountain Ute Tribe Reservation

Thank you. Before my brief presentation, I have a council member I'd like to introduce, Mr. Henry Jackette. He'll say a few words and then I'll tell you about our project.

Henry Jackette

Thank you Darlein. Regarding the Family Resource Program we'll be talking about, we are pleased to have the opportunity to have a demonstration program. We at Ute Mountain can help set up policies for the Indian people, dealing with Indian Services under Title XX. We feel proud to be able to help our people. This conference, and other conferences, with the help of the National Council of Tribal

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Chieftains, can hopefully contribute something too. Thank you.

Darlein Bauer

Our project is located in the four corners area in Colorado, Utah, New Mexico and Arizona. No matter which way we go from Ute Mountain we can be in another State in just a few minutes. So we are in a unique situation.

We are located on the Ute Mountain. Approximately 1,386 Ute people live in or around Towaoc. We serve some Navajos because they live down the road from us. We also serve the White Mesa Utes on the other side of the Ute Mountain. I've asked Denver, Colorado to help us get funds from Utah since we are serving the people in Utah.

The tribal council is the grantee. Our project has eight staff members: One social worker, an education coordinator, two caseworkers, and four child care workers. In addition to this, I was lucky enough to get six CETA slot child care workers.

The social service worker and his two caseworkers provide direct services and some counseling and foster home care with the BIA Social Service Department. Right now we are having problems with the BIA because they're short staffed, which has slowed us down a great deal.

We'd like to see the BIA become more involved. I heard the same feeling from people this morning, so evidently this problem is not unique to our area.

Our education coordinator is responsible for training Indian staff (including CETA workers) and coordinating day care services to make sure all children are cared for. Along with this she also has responsibility for some parent training. We are trying to set up a toy-lending library to help the parents understand what toys are for and how toys can be an aid for learning. This we think will in turn help us with the child who has problems.

In addition, the social service worker and caseworkers are trying to get 99 children back to their natural parents on the reservation.

We would like more endangered children placed in foster homes. We are working with families for child neglect and abuse. The main reason for this, of course, as with other tribes, is alcoholism. We have a high, high rate of alcoholism. We don't really see child abuse but we do see neglect. In many cases, we see children left with no adult supervision for 24 to 48 hours. These children are brought in by the Social Service Department and then we go out and see if we can counsel the families.

Our demonstration project is trying to pull together information on which direction to go. There are going to be changes. We feel we are doing super great in day care, but we need help in the social services.

I know in time the Indian people can run their own social service and Title XX programs. All they need is a chance to do it. Thank you.

Dorothy Gill

Who places children in foster care, or up for adoption?

Darlein Bauer

The tribal court along with BIA.

Dorothy Gill

The reason I asked is that BIA's track record is as bad as that of counties and States as far as social service delivery to Indian people. So I was wondering why tribes would want the BIA social services rather than an increase of tribal delivery of social services to the Indian people.

Darlein Bauer

Because in the past, BIA really hasn't fulfilled their commitment. When we try to get help from Montezuma county social services they say no. Then we try to get help from the State and they say it's county business. So we are caught in that triangle, and, unfortunately, the child is the loser.

Violet Smith

Darlein, perhaps you could say how the children come to the attention of the social services department.

Darlein Bauer

Either through our R&D project, our Head Start program, the clinic, BIA or the tribal council. We are a small tribe so people know each other. That's how we get our clients.

Question

Do you have funding from just one source?

Darlein Bauer

For the R&D project. This year we got direct funding from Washington. Right at the last minute the State cut us out and I got on the phone and called the Lieutenant Governor. He talked to Arabella Martinez and we got direct funding this year. This next coming year, we will get 75% from the State and 25% from the Federal government. Our Head Start funds are direct funding. We are the umbrella so we share. We have one building with materials, staff training, transportation, the dining hall, everything is a shared project. It cuts down on the cost a great deal.

Hugh Grogan

What is the amount of your project funding?

Darlein Bauer

Almost $104,000.

Question

Out of your 8 staff members how many of them are Indians, and how many Indians are in administrative staff positions?

Darlein Bauer

I'm the Project Director. The Education Coordinator and the Social Services Coordinator are ingrown and certified. The rest are all Indian staff. We have plans to move Indians up into more reliable positions after some training.

HUGH GROGAN

Project Manager
Child Protection Program
Sisseton-Wahpeton Sioux Tribe

I'd like to begin by introducing my boss, Dorothy Gill, director of the Sisseton-Wahpeton Sioux Tribal Health Department. I'll attempt to establish a good relationship with the State by introducing Louise Zoken, who's Project Officer for our program with the State Department of Social Services.

Our project started in September, 1977. The primary force in the development of the project has been the Human Services Board of the Tribe. This board developed in the early 50's and consists of elected individuals whose primary arenas of concern have been the education, health and social needs of the Tribe.

It was this board that submitted a proposal to the State of South Dakota to jointly sponsor this project under Title XX. The funding is Title XX, 1115, and a 638 grant from Indian Health Services. This amounts to approximately $95,000.

We have three workers: myself, Steve Barse (who is primarily involved with direct services), and Joyce Country Red Owl (who is involved in foster care and direct services, plus the recruitment of foster and adoptive homes).

We have a population of about 4,000 people. Our reservation covers part of the three-county area in the Northeast corner of South Dakota. It's on the Minnesota and North Dakota borders. This area consists of a checkerboard of both State and Tribal land. So, in terms of jurisdiction, we deal with both the tribal and State court systems.

Some of the major areas we provide services in are, first, protective services (child abuse and child neglect services) based mainly on referrals from other agencies, the courts, and the community.

Second, preventative services, to offer alternatives to families having problems. The idea behind this service is that if we offer services to families having problems before the situation reaches a point of crisis, we can have a greater long-range effect than we can if our involvement begins when things are breaking up.

Third, we have child placement services. At this point, we have responsibility for all child protective services previously provided by the BIA. We have not taken over their foster care caseload because they have not put any money into our project yet. We're negotiating with the Bureau to obtain funds or contracted positions in order that we might take over their foster care caseload. We are doing all the social services they have done in the past with families, including new foster care placements.

In terms of our relationship with the State, South Dakota maintains a Department of Social Services office in the three-county area. We have a shared responsibility for services. Our main focus is working on trust lands, or with families living off trust lands who specifically request to be referred to us rather than work with the State in abuse or neglect situations.

In the next 1½-2 years we will become the primary service provider in the three-county area, mostly for Indian families, but, in line with Title XX guidelines, on a non-discriminatory basis.

In addition to the development of the program, our major accomplishment in the last nine months has been the development of the Juvenile Intervention Center. This Center is an alternative to jail. Back in September we had a building which wasn't yet completed. Our program administered this facility until early January. Responsibilities included completion of the building, development of operational contracts, hiring and training of staff, and the establishment of an operational manual.

The second major accomplishment is the revision of the juvenile code. We've worked very closely with the tribal judge, the tribal probation officers, and the tribal criminal justice planner to revise the juvenile code so that it more accurately reflects our needs in dependency/neglect proceedings and in CHIN and Status Offenses proceedings.

A major change is that as part of the code there are now provisions for legal recognition of traditional adoption. After two years of traditional adoption the adoptive family would have rights at any hearing, though not equal to those of the natural family.

The fourth major undertaking has been making a formal application to the State for licensing as a Child Placement Agency. This will give us legal recognition to operate anywhere. If we wanted to make a placement outside the three-county area we'd be able to. We also believe that it will give us a stronger base to deal with other States who might one way or another pick up tribal kids. When we're asking to have them returned to a licensed program, States who haven't heard of us won't be as leery of dealing with us.

Fifth, we are contracting with the BIA for the monies set-aside by Congress for contract to the tribes. This would be about $42,000. Our plans are to hire a psychologist, who would evaluate kids coming through the juvenile center, and a caseworker who would work primarily with families. Our psychologist would also do some staff training and at least family therapy.

In the next year we hope to contract with the State for another position to provide services to delinquent youth. We also plan to contract for positions currently maintained in Sisseton by the State so that total responsibility for services will eventually be placed with the tribe. The development of Indian-run group homes on the reservation for adolescents needing placement outside the home is an area we don't have very good coverage on right now. We hope to have group homes operating by the fall of 1979.

Sixth would be a negotiated agreement with the State giving the tribe full responsibility for all children permanently removed from their families by State court. This is an area we've discussed with the State. We want the State to refer any child who is permanently removed from his family to the tribe for any kind of adoptive placements that might occur. We feel we've made some inroads, but there is still some resistance on the part of the State to entering into a formal agreement.

Seventh, we want to begin seeking alternatives to 1115 funding for the coming years. And that's pretty much what we've got going as far as projects for the next year.

Two problem areas that we've had are: first, jurisdiction, with kids being processed through State rather than tribal court; and, second, attempting to project the image that we are a helping agency, unlike the State and the Bureau which are seen as outside agencies coming in to rip off kids. Those are the two biggest problems we have. And that's about it.

Denis Turner

What's the second problem again?

Hugh Grogan

Creating an image that's different from the Bureau or the State. This involves having service resources available so people can come to us for help in resolving whatever problems might exist. The reason that creating such an image is difficult is that most of the cases we deal with are cases that are already involved in the court system. So it would be easy for us to slide into having the image of being somewhat like the State or the Bureau, putting kids in placement rather than effectively helping the family remain together. We're not like the State or the Bureau in that we're a tribal program accountable directly to the tribe. Because of this the whole tribe has a vested interest in the success of the program.

As an example, take our foster care situation. In September, 1977 there were no Indian foster care homes in the three-county area sponsored by the State Department of Social Services. There may have been one or two licensed, but none were being used. Now, we have 21 homes either licensed by our standards or in the process of being licensed. But until we're licensed as a Child Placement Agency, licenses we issue don't have any validity with the State. That's why we've made a strong effort to get the State license, because it will allow us to tap into State foster care monies for the homes we are using. Currently, we rely on BIA direct payments for foster care because our licenses aren't recognized by the State.

Violet Smith

Could you share with us the elements of your foster care standards which differ from those of the State?

Hugh Grogan

The main difference is that the State has a maximum number of six kids. We have no maximum number. We also have nothing to tie us in to "per square feet" or requiring a bed for every child. A lot of our standards are similar to theirs, but ours are geared to evaluating the capacity of the family to provide a warm, loving environment. State standards may attempt to do that too, but they're much more geared to tangible things.

Question

Does the tribal court approve of your seeking this kind of license?

Hugh Grogan

Yes, we wouldn't be doing it if they didn't. Anything we do is a result of action either by the Human Services Board or by the tribal council. We have discussed the implications of getting a State license. The decision was that the benefit would outweigh the disadvantages.

Question

But won't the State insist on coming to the reservation to monitor what you're doing?

Hugh Grogan

They have that right now with the Title XX contract. One problem we've had with these funding sources is that we're always being evaluated. We're being monitored all the time!

In the long run, we see ourselves being directly funded by the Federal government. At this point, though, our only method of getting funds is through the State. The license gives us validity with South Dakota, Minnesota, North Dakota, and other States, too. Being able to say that we are a licensed Child Placement agency will alleviate a lot of the problems we might otherwise have: Agencies being scared to deal with us, uncomfortable about our programs, and so on.

SUZANNE LETENDRE

Project Director
Boston Indian Council, Inc.

The project I represent is an inter-State project between Maine and Massachusetts. The constituency is composed of members of four tribes: two Federally recognized tribes (the Penobscot and Passamaquaddy) and two State recognized tribes (the Maliseet and the Micmac). So we have not only tribal jurisdictional concerns, but also urban/rural off-reservation concerns.

The original intent of the program was research in three areas: the Indian family network; Indian child-rearing practices; and the delivery of services to Indian people. But when the project became a known and trusted resource in the community, we had to change our priorities. Our first priority now is the delivery of services. These services are very much needed not only in the Boston community but also in the Maine community.

Our project objectives are specified in the packet. I'm sure everybody has a copy, so I'll go on to three other areas: staffing, the outlook of the program, and problems we face.

The staff is with the Boston Indian Council (BIC) and with Central Maine Indian Association (CMIA). In Maine, there are five Indian staff members and two non-Indian staff members. In Boston, there are three Indian staff members and one non-Indian staff member. The non-Indian member at the BIC is the research coordinator, who has lots of research experience working with tribes in Maine on the Tribal Code.

One asset is that both programs are housed in centers that have already for years delivered services to the Indian community. At this time the Boston Indian Council has fifteen different programs with a staff of 90 people. Over 80% are Native Americans. Central Maine Indian Association basically advocates services for its constituency from existing resources. Its staff of seven includes three non-Indians.

The programs available through the Boston Indian Council are designed to strengthen the family unit so that it's stable and adaptable to off-reservation living. These programs are, first, community services providing emergency food and nutrition, housing, legal assistance, outreach work, etc. Also at the BIC and CMIA are programs to aid in transportation to hospitals, courts, or whatever. Also available through BIC, in job development, is a program to help mothers develop job skills. There's a job developing unit of the BIC which right now runs a digital program that has about 20 people learning skills to adjust to off-reservation living.

Some further programs complement these. Oftentimes, we find that family problems involve other problems, such as alcoholism, unemployment, lack of housing or whatever. When this happens, we're able to refer people to several related programs, not outside the Indian community, but within it. We're able to resolve problems cooperatively. That's one of our strong points.

Let me discuss some of the problems we face. First, we're faced with three groups of Indian people. One is the urban population. Another is the off-reservation rural population. And then there are reservation people.

With respect to the urban population, we find that services in the urban area don't adequately meet their needs. We're mandated to address these immediately. These are survival needs: housing, clothing, food.

A lot of the legislation coming out now avoids the urban/rural off-reservation population, which comprises over 60% of the Indian population in the country. So not only do we have to listen to our community, we also have to keep an ear open for what is happening in legislation.

One thing the project has been involved with is the Indian Child Welfare Bill which is presently -- in fact, today -- before the House Sub-Committee. What we were able to at least partly weave in is a mandate to deal with Indian urban populations and off-reservation people. In the House's write-up on the Bill, they have expanded their definition of Indians to address the needs of urban and off-reservation Indians. This will be an on-going thing, though, because the whole urban question is not settled. Since a majority of our constituency is living in urban areas, this is a great concern to us.

Another problem we're faced with is data collection. As far as the Northeast is concerned, the only statistics available are foster and adoptive placements in Aroostook County, where the Association of American Indian Affairs in New York State did a study several years ago that stated that Aroostook County is the worst county in the United States for the placement of Indian kids in non-Indian homes.

Even though it isn't the highest priority, our project is a research program. We've been trying to get statistics on how many Indian kids are in foster homes or adoptive placements. We've had no success in getting numbers. We've been avoided, telephone calls have not been returned, meetings have been cancelled. There's just no sensitivity among the State people. So we've had a problem getting the data we know they have.

The third problem is legal costs and jurisdiction. When families come to us, saying, "Last night our children were taken away from us, what should we do?", we have no attorney to represent us. What we're forced to do is call on legal services for help. The problem is that they usually don't have the time, they're overbooked. They can't deal with the crisis situations we have. So we're forced to get attorneys not from Legal Services. This creates a need for money. We've been researching the possibilities of getting money specifically for legal costs. The problem is that Legal Services pretty much have a monopoly on the money for legal services. How can we get the resources we need from the State and the Federal government?

Violet Smith

Suzanne, could you say a few words about how the program does outreach work?

Suzanne Letendre

The outreach people are from the community. In Boston we have two Micmac outreach workers. They both speak Micmac, which is important. They speak the language and they know their cultures and are really trusted and known in the community. They're outreach workers, but they're not looked upon as social workers or foster care people or other titles that have a negative impact in the community.

Edna, do you want to add something?

Edna Abelson

I work with Suzanne as the Assistant Director of this project. Right now our main target is to open up a working relationship with the Department of Human Services which is going to give us access to the records to find out where Indian children are in White families. The request is now being sent to the Attorney General's office for permission.

The second big project I'm involved in is teaching what we call cultural awareness to the State of Maine in terms of the Indian people. In the middle of July we're putting on a workshop for about 50 State people, where six Indian people are going to be presenting a workshop on linguistics and foster care and child rearing programs on the different reservations. We've gotten off to an exciting start.

Suzanne Letendre

Direct services to Indian people are best delivered by Indian people. That's essentially what we're trying to demonstrate. This is a new program for the BIC. We'd like to see (1) our program licensed to license foster homes, and (2) the States mandated to refer Indian Child Welfare cases to us.

Violet Smith

Thank you, Suzanne. Now, I'd like to call on Tony Jones of Standing Rock, the first representative of what we've been calling the program development model.

TONY JONES

Project Director
Social Services R&D Project
Standing Rock Sioux Tribe

The goal of our program is to lay the foundation for several social service programs. The way we hope to accomplish this is through five components.

First is capacity-building. When we started, it didn't seem anybody knew what capacity-building was -- so we made contact with HEW. They didn't know either. We decided to develop management, planning, and administrative skills so that the tribe will be able to deliver its own social services.

The second component is the development of a model juvenile code. When we started studying this problem, we found that a lot of work had already been done at New Mexico Law School. In fact, the most important part of the Code had already been completed. It was just a matter of pulling it together and having it approved by the tribal council. Meanwhile, we started thinking about how we could implement this Code, since it called for prosecutor and defense services we did not have. We wrote a grant to LEAA, and they funded us for these prosecutor and defense services.

The third component is in the area of needs assessment. Our means to accomplish this is through questionnaires for local people, and also through key informants.

Our fourth and fifth components are (1) preparing to deliver emergency foster care services, and (2) preparing to deliver family services. One of our first steps will be to develop standards for these services. We are working on that now. Also, to meet a condition of our grant, we have developed a plan for integrating these two services. We expect to be providing the services next year.

There has been talk this morning about direct funding. That's the first point States and tribes agree on. Recently, the States of North and South Dakota went together with Standing Rock on a proposal to Secretary Califano for direct funding under Titles IVa, IVb, XIX, XX and Food Stamps. The response we got in April was that this is not within the legal scope of HEW authority. However, they did make a counter proposal, called direct administration. This would pertain only to those six tribes with reservations that cross State boundaries.

The counter proposal requires that tribes contract with the State in order to get HEW funds. Neither the States nor the tribes want this arrangement. There was a big Conference on this on May 24th. HEW said, "Legally, you cannot have direct funding." States said, "Yes, you can." Next week, legal opinions are coming from the States to prove it can be done.

There has been discussion of BIA cutbacks. We have been actively involved in this area too. Standing Rock was able to get an injunction against the BIA to stop the cut of payments. This is effective through June 12. All grants cut as of June 1st will have to be reimbursed by the Bureau until this hearing is held June 12th. At that time, we'll know more about what's going on.

Actually, what we're trying to do is delay the decision, because there is a $6 million supplemental bill in the Appropriations Committee. We've been pledged the support of our Senators and Representatives to get this bill out of Committee.

Question

How far does the injunction reach?

Tony Jones

That's nationwide. So no reservations have lost one cent yet.

WILMA THOMAS

Project Director
Michigan Inter-Tribal Council

Our project serves four reservations and the urban Indians of Grand Rapids and Detroit. We have applied to become a Statewide program. If we do, our population will be somewhere between 30,000 and 50,000 people.

Our contract is funneled through the State Title XX agency to the Michigan Inter-Tribal Council. It was the ITC which formed the Michigan Indian Child Welfare agency.

The Indian Child Welfare Agency has an Advisory Board and an Executive Council. The Council is made up of representatives from all four tribes, but not from the urban areas. The Advisory Board is made up of one representative from each reservation and one representative from Detroit and Grand Rapids.

Before any policy can be made the Advisory Board must approve it, then it goes to the Executive Council. From the Executive Council we take it back to the individual tribes.

The agency staff includes a Director (myself), an Assistant Director (Arnie Parrish, who is here) and six trainees. The trainees work half-time. One trainee is assigned to each reservation and one each to Grand Rapids and Detroit. One of our goals is to get Indian professionals into each of the communities. That's where the trainees come in.

Our main goal is to become a State-licensed Child Placement agency. Within that goal, we have five objectives.

The first one is to prevent unnecessary Indian family breakup. Second is to reconstruct the Indian family. Third is to place Indian children in short-term foster care placement. Fourth is to place Indian children in Indian foster homes. Fifth is to get Indian foster homes.

The State people tell us that they can't get Indian foster homes so we're out to recruit Indian foster homes.

As I mentioned, our project is working with both on-reservation and off-reservation Indians, so we are running into problems with jurisdiction. We find that the State doesn't know who has jurisdiction if they place a child on the reservation. So they say they're not going to place children on the reservation.

A few days ago we hit another snag. The State apparently told some urban Indians that there is a fixed sum of Title XX funds allotted to Indian people in Michigan, based on population. Two Indian programs are now getting Title XX money in Michigan -- ours and one other; so the State people are saying, "You've got your quota." Since these programs are mainly for reservation Indians, the urban Indians cannot get necessary services. It's really a trip, and we don't know what to do about it. That's one of the things we're here for, to get some answers.

We are also faced with jurisdictional questions regarding the urban areas. Most reservations are near urban areas. Because there's little housing on the reservations, a lot of the Indian people are living in urban areas. That makes these urban areas Indian country too. We would like to service these people, but the State tells us, "Sorry, there's just no way." People are getting hurt while other people are playing political games.

Richard Silva, APS Region IX

I would venture to guess that the 1115 project between the Federal government and the State of Michigan does not say anything about your serving urban Indians.

Wilma Thomas

The contract sets up a target population of four reservations. They do not specify what urban Indians we are to serve. So we decided to service Detroit and Grand Rapids and other urban areas. We may have to pull out of Detroit and Grand Rapids. But if we pull out -- or even if we stay -- it's not going to help.

Richard Silva

You could seek further funding from the Federal government.

Wilma Thomas

Now that's another problem. Our contract says that we cannot get additional funds. If we do, the amount of money newly given to us will be subtracted from the money we get already.

Richard Silva

That's a very unusual kind of contract.

Wilma Thomas

I know it is. (Laughter)

Michio Suzuki

What strikes me is that they're saying, "A certain amount of money went into this project, so the Indian people got their fair share." But the State of Michigan is not off the hook as far as serving residents of Grand Rapids or Detroit. Indians living there have full rights to whatever is available. It may not be culturally relevant or sensitive, but no way can they say that a resident cannot get service. They have full rights.

To be precise, it seems that they are saying that there is no special funding available for these people.

Wilma Thomas

Right.

Michio Suzuki

Now, in the long-run, whether it's in Detroit or Santa Fe or Los Angeles, ultimately the larger system has to have much greater sensitivity to American Indians, and to a lot of other groups, too. Also, the mainstream services have to be improved -- not just special programs.

Wilma Thomas

Okay, I agree with you to a certain extent. But the Indians in the urban areas are upset about this contract right now because they did have special money before. And now, all of a sudden, in the last two weeks, they're cut to zero.

One other thing: We're doing a needs study which will deal with every household on all Federally or State recognized reservations in the State. We're also going to cover all of the probate courts, all the DSS offices, and all the private agencies.

We also think that this program should concern itself with more than foster care and adoptions. Like Mr. Suzuki said earlier today, we should be looking at other possible funding, for day care and other things needed on the reservations. Those are the kinds of things we need to expand.

TERRENCE SCHOMBURG

Project Coordinator
Washington

As a PL 280 State, Washington retains civil and criminal jurisdiction over the reservations we are contracting with. Our project is seeking an opportunity to demonstrate that licensed child placing agencies on the reservations, run by Indian staff, can best protect Indian Child Welfare concerns.

We have a total of 14 staff persons on the five reservations, employed under contract. Eleven of the 14 are Indians, and, with one exception, are working with their own tribes.

Our tribes vary considerably in terms of the extent to which social service systems have existed in the past. At the present time, there's a good deal of re-organization of the various tribal social service systems underway. Our project staff are oriented toward coordinating and redesigning these social service systems where they are relevant to the establishment of licensed child placing agencies.

One of our tribes has just recently received their State license as a child placing agency: the Lummi tribe. Nevertheless, because of their focus on training, they are not yet planning to take on a caseload. They are not actually going to deliver services until probably the end of 1978. Several of the other tribes are now delivering some services while applying for their licenses.

We have immediate plans to develop a college level training program through Western Washington University for a University Without Walls program. This will lead to a bachelor's degree in human services for any and all of our Indian staff. I'll work with the human services staff at Western as a kind of Statewide academic supervisor for the program. We are developing on-site, University-level training programs which in two years will award most of our people a bachelor's degree through Western Washington University. Upgrading the academic credentials of our Indian personnel, while they work full-time in the agency itself, is a definite goal of ours.

We have a service population of approximately 19,000 across the State. These reservations are spread out all over the West Coast, and also north of Spokane. It's quite a diverse area, and it sometimes boggles the mind as I'm trying to serve as an advocate for tribes as diverse as these and spread out so far. I've involved myself in meetings on each of the reservations, including people from the various Department of Social and Health Services field offices as well. In other words, we've had the staff in the various State offices meet with our project staff to discuss project goals, and to solicit their help.

Basically, I see myself as the State bird-dog trying to promote the project goals Statewide. I've been very pleased with the response of the State personnel whose job it is to assist the tribes in gaining compliance with the existing contracts. It is most encouraging so far. Tribes have made remarkable progress, and we are looking forward to a second year in which we hope to have some paralegal aid with the addition of a court liaison worker. This staff person would assist in the other area of real concern, the development of adequate tribal court codes on the reservations. They would also assist each licensed child placing agency staff in liaison work with State courts.

The area of tribal court jurisdiction is obviously a monumentally important aspect of the delivery of Indian Child Welfare Services. The Makah Tribal Court has recently been named one of four model court organizations in the United States by a study of the National American Indian Court Judges Association. On the Colville reservation, there is also an existing tribal court and a very effective juvenile code. We're interested in fostering the upgrading of tribal courts' capabilities, Statewide. We are hopeful that the Washington tribes will someday be able to assume full jurisdiction on reservations.

We have a policy board consisting of five persons, one from each tribe (and one alternate from each tribe). They are the governing body of the project. They had to approve of me before the State would hire me and they are the body to whom I look for guidance in my capacity as the project liaison person between the State and the tribes.

Violet Smith

Could you share with us the process you went through in order to become licensed?

Terrence Schomburg

The essential aspect of meeting licensing requirements has to do with staffing. According to State criteria, an MSW is required to be available at least quarter time. In addition, you need casework staff, legal and medical consultation services, and so on. The other aspects have to do with adequate facilities, record keeping provisions and an advisory body as overseers.

RUTH HOUGHTON

Project Director
Inter-Tribal Council of Arizona, Inc.

The Inter-Tribal Council of Arizona is two organizations: tribal chairmen from 18 of the 19 Arizona tribes, and the Inter-Tribal Council of Arizona, Inc., which is a private non-profit corporation.

In Arizona, the Indian tribes took the lead in Title XX for the entire State, including the non-Indian community. To answer Mr. Suzuki's rhetorical question, "Why is Title XX so important?", let me point out that Title XX is the one Federal grant-in-aid program that mandates local participation in planning. In Arizona, the tribes and local social service agencies really got into the act early. Everybody in the State except the Indian tribes got functioning purchase of service contracts. It turns out that there are some very important legal obstacles to contracts between the State and tribes.

For instance, in Arizona we have not been able to license child placing agencies on reservations because under State law the State has no authority to regulate anything on reservations.

One tribe has worked on this for two years and the problem still is not resolved. Title XX has caused the closing of Navajo child day care centers that couldn't meet Federal Interagency Day Care Requirements (FIDCR).

It's important to study the people-resources of each tribe to find out who has what skills, who has training potential. The development of middle management seems to be really key. We have a working agreement with Arizona State University to have student interns from their American Indian project, which is a part of the Graduate School of Social Services.

Also important is to decide (1) how the whole human services structure will fit into the overall tribal structure, and (2) if there need to be administrative and legal changes. It appears that

Arizona tribal codes will have to be strengthened before we can provide adequate child welfare services. Jurisdiction is one problem. Another is that some codes make it almost impossible to provide protective services because problems of neglect are called felonies. Judges hesitate to prosecute because you don't want to hang your parents up by the thumbs.

As we go along we need to find out what technical assistance is needed and when. Recently, we've been asked to help the Arizona Indian Council on Aging organize. We've been asked to work with the BIA, which is interested in developing alternatives to out-of-home placement for children. They've asked us to come up with a plan to study the situation of Indian children in out-of-home placements on and off reservations. That's Statewide, and we have a commitment from the State to give us access to the records to really get a handle on that.

Violet Smith

As you've heard, the Arizona project is different from the others, in the sense that it's oriented purely to capacity-building. It does not intend to serve clients directly within the life of the demonstration project. Rather, it will serve as a resource to enable member tribes to plan and manage social services.

And, now, we have a capacity-building project that has only recently gotten started, under the auspices of the North Carolina Commission on Indian Affairs. Here's Kate Oriedo, for the NCCIA project.

KATE ORIEDO

Project Director
State of North Carolina
Commission of Indian Affairs

I bring you all greetings from the Indian people of North Carolina.

To be short and sweet, the North Carolina Commission of Indian Affairs is housed in the State Department of Administration, so all of us are State employees as well as Indians and advocates for Indian interests.

The Commission of Indian Affairs functions within this Department of Administration, in addition to which it has its own policy-formation board, which consists of 15 tribal members from our seven State recognized groups, and seven State officials.

We have three urban groups that are an

amalgamation of various different tribes. The rest are basically rural. Our services are provided to roughly 41,000 people in North Carolina.

All right! To make this really short, everything that's already been said applies to us. We don't have family problems quite as intensely as others seem to, but everything else we have, I assure you.

Let me just very briefly explain what we're going through, okay? Our project began approximately a year and a half ago as an idea. It was proposed and funded. We have gone through the process of needs assessment. We're getting to know our communities. We are getting input.

Now, what are we going to do? We're going to have a training process, where we hope to accomplish a number of very important things. We hope to develop the capacity for administration, management of fiscal affairs, and resource development. What are we shooting for? Let's put the dollar sign right here.

We have seven Indian groups. We want, at the end of the road, to have seven mini-agencies (if you will) in structure and function. Agencies which can take over the management and delivery of social services at the community level. We know our problems. We know our needs. We know what we want. We just don't have all the know-how in terms of bringing it to be.

So! What do we see ahead? The Commission of Indian Affairs will eventually want to supervise the provision of technical input. We want our mini-agencies to be able to enter into contracts with the State. The State will thereby purchase services from us, which we will deliver with our own Indian people (our own administrators). We therefore will service not only our own needs, but will become a self-determining, self-propelling people. That's all.

Wilma Thomas

How big is your staff?

Kate Oriedo

I'm the Project Director, my Coordinator has been ill virtually the whole time, we have a secretary, and two field workers.

The Lumbee Tribe has secured a grant of $3 million for 31,000 people. They are administering, managing, and delivering service programs for their people.

Now, which programs will end up in which communities? Hey, that's for the communities to decide. What we're going to do is try to get together all the information, develop capacities, and then let the tribal mini-agencies take over. They're in the process of assessing their needs, and deciding what they want us to do.

We also don't have our training certified. Unfortunately we don't have a University Without Walls program. We're hoping to have it certified at the University of North Carolina or North Carolina State.

We're in the process of reorganization, and we've got 100% community support.

Don't misunderstand me. The conflicts are there. But we're trying to build mechanisms to deal with the conflicts. We're not conflict free. Heavens! We have a lot of problems, but we feel that we're working them through. That's all I can say. What will happen ten years from now we don't know but this is where we're going and we feel we have the Commission's support.

DISCUSSION

Arnie Parrish

I would like to ask each Project Director to put a time table on when an Indian person shall actually be selected to run their respective projects. Could each project representative elaborate on the subject?

Wilma Thomas

For myself, I plan on an Indian director taking over within two years.

Violet Smith

I thought the point about the University Without Walls was very important. It relates to two substantive questions: How can we bring in Indian Project Directors? And how do we recruit Indian staff in general? Part of the answer seems to be training. Can we address both of them, and training, too?

Wilma Thomas

Arnie hopes to go back to school for his MSW now. We hope he'll have his Masters in Social Work at the exact moment we get our licensing, so he can take over officially at that point.

Darlein Bauer

I will move out when the Ute Mountain Ute Tribal Council tells me to. It's up to each Indian reservation, their needs and desires. None of us can say, "I'll be here so many days."

Terrence Schomburg

The Indian Policy Board was given jurisdiction in determining who would be appointed to my position. There was a very determined effort to find a Native American for the job. That was one of the reasons the project was slow getting started. It would be very much at the Board's discretion -- if they were dissatisfied with my functioning I'm pretty sure they could get me terminated. And I fully support the notion of hiring Indian people to work with Indians.

Suzanne Letendre

It is the hope of the project staff that outreach workers with a grassroots knowledge of the community will be trained for leadership. We've been working with the University of Maine and with Northeastern University in Boston to enroll outreach workers in classes to learn the skills necessary to administer programs for their own communities.

Violet Smith

Are those credentialed programs? Will they lead to a piece of paper that really opens doors for your outreach workers?

Suzanne Letendre

Yes.

Hugh Grogan

In our program, the intent when we started -- before I was hired -- was to hire an Indian person. One of the requirements for the position was an MSW. There was one Indian applicant with an MSW but that person took a job with the BIA. So I don't know if we have any well-defined timeline. As an employee of the tribe, I serve at the pleasure of the tribal council. We do have the capability for Indian staff to be administrators. We have one person with a Masters in guidance counseling and two people close to a Bachelors. But we have no set time plan.

Tony Jones

I'm in a different situation -- I know exactly: January 16, 1980. That's when my IPA assignment is up. We've already started a training program through colleges and an in-service training workshop.

Suzanne Letendre

Our concern is not only to have an Indian but a person from the community. I'm not from Boston so I'm not as aware of the problems as the outreach workers are, who lived on the reservations, moved to the urban areas, really know the problems of adapting to off-reservation living. We have a really good outreach staff and I'm really confident that soon, in a year or two, they will have the skills to take over the program.

Violet Smith

Everybody is very patient! Let me point out that we have been taping, the conference, and, if all goes well, you'll receive a copy of the proceedings --

in case you fell asleep during any portions of the meeting.

Same time, same place, tomorrow!

A Review of Current Federal Legislation

Presentations by

GERALDINE MCKINNEY - APS
"TITLE IV-B"

MICHIO SUZUKI - DEPUTY COMMISSIONER, APS
"TITLE XX"

GERALDINE MCKINNEY

APS

I'm absolutely delighted to be in Santa Fe. I spent years in New Mexico, part of that as a child welfare worker here in Santa Fe. It's good to be back.

I'm going to tell you about a program called Title IV-B Child Welfare Services -- "upper case." Since child welfare services are available both under Title XX and Title IV-B, I'll say "upper case" for IV-B and "lower case" for Title XX.

There are three parts to Title IV-B. I'll mention two of them briefly. Mike Suzuki mentioned yesterday that Secretary Califano has requested his heads of agencies to give particular attention to Indian programs and problems. Under IV-B, which has three components, these are being addressed in them all.

One part of Title IV-B is research and demonstration grants, which approximate $6 million. These are administered by the Administration for Children, Youth and Families (ACYF) and some of that R&D money has been used for Indian grants.

Another section of IV-B is training grants, roughly $8 million awarded annually for training for the field of child welfare. One of the grants is for a project related to Indians and Spanish-Americans. Let me read you the passage which relates to Indians and Hispanic groups.

"One of the priority areas of these training grants is to develop materials for the training of Child Welfare persons serving Native Americans and Spanish-speaking populations to be more sensitive and culturally aware of the particular needs, values, life styles and family practices of these groups, and to use this cultural awareness to provide improved services to children and families, in a manner which encourages and supports their ethnic, family, and community life."

Most training grants are awarded by regional offices to institutions of higher learning. The short-term planning grants for Indian and Hispanic groups are administered through the central office. ACYF has responsibility for these training grants.

The third component of IV-B is the formula grant Child Welfare Services program, under Section 426 of the Social Security Act. It's a program dating back to 1935 when the Social Security Act was passed, way before there were IV-A services for persons receiving AFDC and before there were Title XX services. Its purpose was to establish, extend, and strengthen child welfare services in the States. It is a program to protect and promote the welfare of children, to prevent and remedy neglect, abuse, exploitation, and delinquency. Unlike Title XX, Child Welfare Services "upper case" are not limited to the poor but are available to all children who need them. There are no eligibility requirements. The kicker, of course, is the funding. The Congressional authorization is $226 million. The actual appropriation is $56.5 million. The same single State agency administers Title XX services and Title IV-B services.

Again, one factor relating to IV-B is that many of the same services can be provided under IV-B and under XX. Mike mentioned yesterday that under Title XX States can decide what services they want and can define the services. One service that cannot be paid for under Title XX (except in emergency situations for a short period of time) is foster care maintenance.

Over the past few years, and during the emergence of Title XX, there hasn't been too much attention given to the IV-B program as a discrete program. And, as I mentioned before, many of the services called "child welfare services" "lower case" (foster care services, child abuse-neglect services, preventative and supportive services, adoption day care, etc.) can be provided under Title XX, although foster care maintenance can be paid for under IV-B for children not connected with the AFDC program.

Angela Russell spelled out yesterday some of the barriers in the path of child welfare services in general, particularly on the reservations because of jurisdictional and legal questions. I was thinking as I listened yesterday that it's important to know about IV-B for those with programs off-reservation, or where the BIA is not delivering services. This is because you can have some impact in the development of the plans for child welfare services under both titles and both programs have the potential capability of being responsive to Indian problems off the reservation. Also IV-B can pay for board and room for children in foster care, as I indicated above.

Under IV-B the States pay over 90% of the total Child Welfare budget. In some States the State match comes from localities, particularly for foster care maintenance. So this is a program you really ought to be aware of, and could effect in terms of getting services -- particularly preventive-type services and foster care services -- that Title XX is not providing in the States.

One thing I want to mention particularly -- Mike Suzuki touched on it yesterday -- is that it's very important to know all the funding sources, and how to impact the planning process. One way is to form coalitions with other minority groups.

I've read most of your proposals, and I know a good deal about what you're doing. Some of you are developing child placing agencies. That's good, but I see some potential problems. Child welfare services (IV-B or XX) should be designed to keep children *with* their families as much as possible. So you should begin to think beyond just child placing services that could be provided under XX, IV-B, to develop a *full* range of services so that youngsters *don't* have to be removed unless it's absolutely necessary.

I've enjoyed this opportunity to talk with you about the Title IV-B program and how it can be used to benefit Indian families and children not receiving services under other programs.

MICHIO SUZUKI

APS

Good morning! I've been asked to share with you some material on Title XX. Some people yesterday said, "You don't seem to understand," or "You said Title XX isn't the beginning and the end." I say Title XX is the most important business, but I've lived with it as it was born and implemented. I do not want you to believe it's the beginning and the end. There are other programs.

When Gerry and I talk about XX and IV-B, we're so used to talking about the Social Security Act that we often don't even say which Act we're talking about. These are all Titles of the Social Security Act. You talk to older Americans and they'll talk about Title VII and Title III, but they're talking

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about the Older Americans Act. They never say that, either, because that's their world.

To understand Title XX as a relatively new program -- it went into effect on October 1, 1975 -- you have to remember that it's built on relatively long-term service programs. The Social Security Act, passed in 1935, covers the whole social security-social insurance spectrum. Then halfway since 1935, you had Aid to Families with Dependent Children (AFDC). That was a cash assistance program for children who were deprived of parents by death, incapacitating illness, or even unemployment (in later versions of the Act). The critical point is that social services under the *welfare* concept -- and social services come from various directions -- have their roots in the public welfare social services programs which came into being as *adjuncts* to cash assistance. That's how Title XX's predecessors came into being.

In the 1950's, there was a growing awareness that just handing out money was not enough. There had to be other things to help poor people move into the mainstream and be less dependent on cash assistance -- whether aged, blind, or disabled, or dependent children. So in the 50's they said, "You can spend money to hire staff and do services."

It was in 1962 that the cash assistance Titles were all modified. Formerly, the Feds had paid 50% of the salaries of budget office staffs. Now, they offered to pay 75% of the salaries and costs of casework services and staff. For awhile there was an 85% match. The whole idea was to say that the public welfare system should be doing casework counseling. From 1962 through 1968, the welfare departments of this country began expanding their staff. Interestingly, though, they moved very slowly. In 1963, after one year of implementing the 75% match policy, the whole country spent maybe $50 million. States said, "To hell with it! We know what we're doing. Poor people need cash." That's really a very fundamental truth. They do. I gave a speech recently where I said what Hallmark says: "If you care enough, send the very best" -- money. The point, however, is that people who need cash assistance are poor not just for lack of money. Perhaps lack of education, perhaps social problems, etc. Between 1962 and 1968, the Feds put out a rule requiring one service worker for every 60 AFDC cases. The idea was to get more counseling and more referral manpower.

The big change came in 1967-68 when the law was changed to say, "Rather than you hiring your own staff at 75%, you can go out and buy those services from other people." Up to then you had to hire your own welfare services staff. But even with this change the process moved very slowly. Only a few States -- California, Wisconsin, Pennsylvania -- really moved in the late 1960's.

When I was Director of Social Services in California, for every $3 spent on social services, California spent one of them. California was relatively rich -- *before* the Jarvis amendment. California was spending $10 million on day care when this matching funds provision came along. We immediately took $5 million and made it $20 million because we were already spending that kind of money.

The Federal government worked hard to get States moving in this direction. Everything was written as if we were pushing a reluctant system uphill. Well, somewhere in the late 1960's and early 1970's, States suddenly realized that they not only could claim for new services, but for old services, too. It took from 1962 to 1970 to go from roughly $50 million to $500 million -- almost eight years. In the next one year, from 1970-1971, it jumped almost $300 million. In the year between 1971-1972 it jumped a billion dollars!

Remember, all this time these monies and services were supposed to be related to cash welfare recipients. You could offer services to current recipients, former recipients, and potential recipients. Suffice it to say that suddenly $1 billion was there. Pretty soon, States began to refinance their correctional systems, their law enforcement, God knows, someone told me they built a highway. These were supposedly service dollars, okay? Now, there *was* a growth in service dollars, but a lot of this money went into running State mental hospitals, etc. This program went from $800 million one year to $1.75 billion the next year. Projections came that in three years it would be $4 billion, and then $8 billion. In 1972, an election year, neither the Administration nor Congress wanted to cap it. But it got very bad; the schemes got very wild. I joined the Feds that year and I used to be afraid to open the Washington Post because it seemed that every morning there was a story. Mississippi claimed $400 million. That was more than their State budget! So, finally, panic set in, and Congress put a $2.5 billion limit on social services. That's where the ceiling came from. It wasn't Title XX; it was in 1972, under IV-A.

We have also had an increasing federalization of cash transfer. This is a trend you'll see consistently, even with welfare reform. Look at cash assistance. It happened with aged, blind, and disabled. Ultimately, the direction is for cash assistance not to be left to the vagaries of State, county, and region, but for there to be a Federal cash minimum.

At the same time, there was this crazy growth of State money. For two years -- in 1972-1974 -- there was a battle between States and the Federal government. The Feds attempted to control this wild growth through regulations. XX really was compromise legislation. XX took service funding away from its connection to cash assistance, saying -- like Titles XVIII and XIX of the Social Security Act (Medicare and Medicaid) -- "The Federal government will take responsibility through the welfare system. We will fund social services." And: "Social services have a value of their own, not only for people on cash assistance. States should use them not only to get people off cash assistance, or to prevent them from getting on cash assistance. There are services needed that can be delivered that have something to do with the quality of life."

Title XX established several major changes: Services were recognized on their own, and were no longer limited to cash assistance recipients. Instead, they used an income test. It was said, "The Feds will distribute this $2.5 billion among the 50 States and the District of Columbia. Every State's population is a percentage of the U.S. population. That percentage of this $2.5 billion each State will get." California is almost 10% of the U.S. population, so California gets almost 10% of the $2.5 billion, i.e., almost $250 million.

It was also said that, since this program is not just for welfare recipients, the fact that you have a high welfare or poverty population doesn't count at all.

Interestingly, Title XX also said this money had to be used for services for people who earn as much as 115% of the median income for a family of four. It also said that if you serve people higher than 80% of median income -- this is the State's choice -- you have to charge a fee. Most States don't go that high. They tend to stay low.

Some people claim that social services should not be related to income at all. They feel that, like public education, public social services should be available to all people. Title XX put not its foot in, but maybe its big toe. Three services under Title XX can be made available to anybody at State option: information and referral services, family planning services, and protective services. Millionaires could be served in these three areas. But all the other services have to be either for people below a certain income level or for welfare recipients.

You have to remember that this is compromise legislation. The States won this one. The money comes to them. States won the right to say that the Secretary of HEW cannot tell them what a service is or is not, or approve or disapprove of the services they offer. The annual plan is not approved by the Feds. The only thing the Feds can look at is the State plan, which says the State will follow the Civil Rights Act, the merit system, and other standard requirements. If you don't say "yes" to these, you don't qualify for Title XX. So all States say yes.

There is a funny kind of balance in terms of Federal funding. The more open-ended funding is, the more fear there is that there will be a run on Federal money. So there are tight regulations to make it harder to get. But if you put a ceiling then the Federal establishment (the OMB and Congress) says, "Relax!" When there is a fixed ceiling, the Federal system allows you to do all kinds of things. That's what you have in Title XX.

When the States developed their Title XX plans, all together they listed 1,340 different services. The Secretary can't define a service, so only the law can establish a framework. The law says, for example, that building a building is not a social service. Neither are public education, cash assistance, shelter, or room and board. For all these things, funding is available through some *other* law. But it's very interesting. Nowhere in the law does it say that legal service is not a service. Pennsylvania funds $10 million worth of legal services for the poor as a social service under Title XX. Never before did I think of legal services as social services. But, clearly, in today's world it is. Now, some States don't spend a nickel on legal services. But in Pennsylvania they do, and there the legal needs of poor people are met, perhaps not adequately, but better than in most other places.

Those of you who are leaders and active members of research projects in your localities will, ultimately, I hope, be playing an on-going role in the actual permanent delivery of services. We aren't demonstrating just for the hell of demonstrating. The point is that hopefully you'll be in the service delivery business. For that purpose, there are some things you ought to know.

There's a booklet called Social Services USA, which is really Title XX funding reporting. It comes out on a quarterly basis and tells you how the States have been spending their Title XX monies; who they are serving; what services they're offering; etc. Now, our system is one year behind, so we're barely coming out with reports on the first years of Title XX. But there are some things I look for each quarter. I look to see who's getting served. Thirty-eight percent are AFDC recipients. Seventeen percent (in this particular quarter) were SSI recipients. So that's 55% getting either AFDC or SSI. And then you have another 5% getting Medicaid. So you're well over half the number. Then roughly 29% were getting services not because they were welfare recipients but because they were tested against the income scale. As I told you, the Feds say, "We'll spend money for people up to 115% of median income." States, however, can keep it down to 10% or 20% or wherever they wish.

Remember I said that three services are for anybody? Those services serve 11% of the people served.

In terms of dollars, not numbers, AFDC recipients have 35% of Title XX monies spent on them. What I'm trying to convey is that XX is still very much related to cash welfare recipients. This is why IV-B is important. Two hundred and sixty-six million dollars won't change the world, but those dollars have no relationship to welfare status or poverty. So you can have flexibility. And in contrast to Title XX you can even use IV-B money to pay room and board. IV-B is flexible in that sense.

In this particular quarter (the third quarter of the first year of Title XX), States reported that health-related services reached the most people. This tends to be not actual health services, but helping people get into, say, the EPSDT program, or helping the aging get to the hospital. Counseling was number two. Day Care was number three. Protective Services (for children) was number four.

I'm interested that I hear so little about day care. Under Title XX, day care is one of the three to four services every State has chosen to provide. Day care is the program more States put more money into than any other service. When you look across the country, at least 25% of Title XX Federal dollars go into day care. Now, if that's true, I'm puzzled when I hear that in your reservation areas day care funded under XX is almost nonexistent. Maybe I've misunderstood what you're saying, and you're saying that under your *projects* it's not there. But look, for instance, at New York State: at one time 60% of Title XX monies were being spent on day care! Now New York became convinced that they were spending too much on day care. Not that the day care need wasn't there, but when you have a pot of money that has to meet the needs of a wide range of people, it's unfair to have one service eat up so much of the resources.

In terms of where the most money was spent -- and it varies from quarter to quarter -- day care is consistently number one, foster care services for children number two (this is placement, planning, working with families, and, in some instances, paying for room and board when it can be shown that it's really part of a treatment service project). Protective services for children is number three. Fourth is education and training -- manpower development, etc. Fifth is counseling, sixth is chore services, seventh is homemaker, eighth is health-related, ninth is employment. This is what XX money is spent for. I urge you to get on our mailing list for Social Services USA.

There's another document, too. Each State has to develop a plan each year. We're going to modify that legally to permit States to have reports every two years. But now a State has to develop a plan each year. It doesn't have to be approved by the

Feds, but it has to be published, open for comment for 45 days, etc., etc.

For three years now, HEW staff have put out what are called "technical notes and analyses" of each State's CASP plan (Comprehensive Annual Service Program plan). Now, most of you will probably be familiar with your own State's plan. But you should know what other States are planning, because some States have myopia -- they just know, "This is the way we did it." So, while other States are doing five other things, they do only the two things they've always done. Or then, perhaps, some group in your State is well organized -- say, the day care lobby or the homemaker lobby. As a result, some States pass laws saying 25 or 30% of Title XX money has to go to mental health services (for example, Ohio). This is important data, and much of it you'll find here. There's information on each service, analysis of how day care is funded, etc. At the back, we have what we call the catalogue, a summary of each State's plan: how much they plan to spend on each service. There is great range. While New York spent 60% on day care, another State spent only 8% on day care. The average is 25%. If I were in the 8% State and said, "We need more day care," they'd say, "Well, gee, there's limited money;" but it's another argument to say, "Mr. X, across the country States average 25% for day care, and in some States it's 50%. Why do we have only 8%?"

I'm not telling you to harass the State. As a Fed, I'd *never* do that! But this gives you some idea of what *can* be done.

Let me end with one final reference. In addition to the basic $2.5 billion (actually, for 1977-79 there's been an extra $200 million), there is another pot of money related to Title XX called Training and Retraining Money. Right now it's open-ended. There's no limit.

This money is for the training and retraining of people involved in the delivery of Title XX services. Anybody in the XX system can be trained using this money. Even if you are a provider agency the State can draw this money as long as it is used to train people directly involved in the delivery of services.

If you're a Title XX agency, we expect you to have accountants, the whole ball of wax. If you're a provider agency, we won't pay for accountants or bookkeepers, but we will pay for day care teachers and other actual service delivery staff. That's open-ended. For those of you who have -- not R&D, 1115 -- but Title XX contracts, the State has open-ended money to train your service delivery staff. If you're in the Title XX service delivery system, you ought to examine whether in your State the training funds available are being used adequately.

Title XX is thought of by some people as a Statewide oriented program. Almost, but not quite. Because it is a reimbursement program. In other words, when you see a figure like $10 million for State X, they don't get $10 million. That's a limit like on an expense account. We will reimburse 75% of the cost of the $10 million.

Now, when the ceiling went on, most States were not at their ceiling. But this year out of the $2.5 billion we'll probably spend over $2.4 billion. So when the ceiling gets raised there will be a little room again. This is the game we're in. Okay, thank you.

DISCUSSION

Steve Esquibel (NARRA)

Where can the training money be found?

Michio Suzuki

This is sub-part H of the Title XX regulations. If you're serious about Title XX, you should know section 228. That's the section of the Federal regulations which governs Title XX. It's broken up into various sub-parts, and sub-part H is called "Training and Retraining."

Now, these regulations impinge on the States. They show how funds can be used to train provider staff. Here you have to talk with your Title XX agency -- you don't deal with the Feds on this one. Each State is required to have a central Title XX agency.

Let me add parenthetically that we'll be redoing subpart H during summer and fall to make it more responsive to service provider needs in the area of training.

Goldie Denney

The Quinault Tribe, in the first year of Title XX, did apply for Title XX training funds. The problem is that this money is channeled to the States, all right? Washington State refuses to put up the 25% match and the Quinault Tribe does not have the 25% match. So those funds are not available to us.

Michio Suzuki

Here's what I would do if I were in your shoes. In many places public universities are putting up the 25%. (Private colleges are not allowed to.) If I were a tribal group, I would find a public institution -- a community college or whatever -- and say, "Look, we have training needs. If you can come up with the 25%, you can get four times that amount if you will work out a relationship with the State. The State will kick in open-ended Federal dollars."

Many times, community colleges and other groups want to be responsive to community training needs. That doesn't automatically happen, but when the State cannot put up, look for other sources. This is happening all over the country.

Goldie Denney

We tried that, too. We went to public institutions to get training for our day care staff. We got absolutely no response.

Richard Silva

I've got a footnote to that. I don't know what happened with the Quinault Tribe, but colleges don't actually have to put up hard cash for the 25% match. They can use in-kind contributions. And they've already got that in their buildings and secretarial staff and other places. So they can designate a portion of that as the 25% match. For instance, a classroom that goes unused during the evening can represent part of the 25%.

Terrence Schomburg

This is the basic promise we've gotten from Western Washington University. We're hopeful.

The BIA is also providing some higher education funding for our Indian personnel. They are quite receptive to applications for higher education funding for Indian people.

Wilma Thomas

I asked the Michigan State agency whether we could get training for Indian people and they told me it was just for State personnel. Can States say in their annual plan that training is only available to State personnel?

Michio Suzuki

Yes, they can do that. That's not smart, but it's their choice. They can choose not to train anybody.

Wilma Thomas

How does a person get onto the committee to write up the CASP plan in the first place?

Michio Suzuki

Every State has a different system, okay? Some States have a formal Title XX advisory committee, but there are probably 51 patterns.

Title XX says, "You have to publish a plan." It's important for people concerned about Title XX to make contact. Don't always insist, "I want to talk to you about this year's plan." What you really want to establish is an on-going relationship around the whole program. You know, XX is not just this year, it's next year and next year and if it isn't called XX it will be called something else. We've had it for 15 years now so we'll have it in one form or another. You really have to find some way to get into the act long before the plan is developed.

Wilma Thomas

Of all the Indian groups in the community, not one is even close to being on the CASP planning committee.

Michio Suzuki

See, there is no requirement under Federal law that there be a committee, or that there be anything except the plan. So, it's critical to work out some relationship with the State agency, not just around the plan as it's published, but at the very beginning of planning.

I keep talking about the ceiling being raised because States are in a tough position. Money buys -

less and less. So planning becomes, "What do we cut?" That's not much fun. But there will be new money. In 1980, for the first time, we'll have a significant increase. Six percent, eight percent, whatever it may be. So don't worry about what didn't happen in the past. Get into the process of planning for the future.

The States have an impossible task. Resources are limited and needs seem almost unending. So even if you are on the committee, it won't be easy to get funding.

Darlein Bauer

We too applied for Title XX day care funds. This was two, maybe three years ago at the Ute Mountain. We worked with the Montezuma County Social Service Department. We had a big meeting and they came with a stack of forms. To get a child into day care under Title XX, we had to fill out approximately twenty forms. The Montezuma County agency had to come out and recertify a child to get it into day care. If the child did get into day care, and its status changed, they had to recertify it again. And Montezuma County said it didn't have enough staff to come out to the reservation and do all this. Also, we don't have buildings up to social service standards. Since our staff wasn't qualified, we couldn't get staff training. In other words, we got the runaround.

Wilma Thomas

Indians can set up standards for foster care for the reservations. Why can't they set up standards for day care?

Michio Suzuki

Day care is tricky since it's the one service for which the Federal government has articulated national standards. What I seem to be hearing as your response to my question is that Federal standards say that State standards and licensing have to be met. I guess what you're saying is that it's difficult for the State to feel comfortable that their standards have been met and that they're safe to claim Federal funding.

The State, if it wishes, does not have to charge a fee for day care for people with up to 80% of the median income. Many of the problems with XX should be laid at the Federal doorstep, but a number of the problems really are the result of State choices.

Now, you may say we shouldn't let States be so free, but that was part of the process that got us XX. I don't think it's going to last forever.

Question

For urban Indians who have problems getting matching funds, what other ways can we get funding from Title XX?

Michio Suzuki

It depends on where you are. There are varying county provisions, but in many places counties purchase services. In some places, the United Way has put up the money; in some places a third party will donate it.

Richard Silva

San Diego County is donating 66% of its revenue-sharing money to human services, and revenue sharing funds can be matched by Title XX.

Michio Suzuki

There are about five programs that can be used that way. There's a law which says Federal funds can't match other Federal funds, but there are exceptions. The one Dick Silva just mentioned is revenue sharing. That is, when your community gets Federal revenue-sharing, it can use it as the 25% share. Some juvenile justice money can be used to match XX monies. Some community Housing and Urban Development funds can be used that way. Some CSA nutrition program money can be used to match XX money.

As a matter of fact, there's some funding under the Indian Self-Determination Act, right? That money can be used to match XX money.

But remember, when you use one Federal law to match another Federal law, the specifications of both laws have to be met. In other words, CSA food program goals would have to be met as well as Title XX goals. Under the Indian Self-Determination Act, you would have to further the goal of self-determination as well as the goals of Title XX.

The Indian peoples *should* be able to tap into these programs. There are people here from Federal regional staffs. Talk to them, or their counterparts back in your regions. Case the joint. You should know what your State is like. Who pushes the buttons? The same is true for the Federal system. You should have our table of organization. You ought to know who the Number One person in HEW is in your region, and who deals with Title XX. We are there to serve. We are there as a resource.

Isn't that what the L.A. police badges say?

Question

How many grants are you funding for the development of materials for Indian Child Welfare?

Geraldine McKinney

Roughly one million dollars are going into short-term training grants, some of which are for Indians and Spanish Americans. ACYF administers this program. I do know it is a priority area, and that universities and colleges will be submitting applications.

Michio Suzuki

Remember, the money can only go to institutions of higher learning.

Question

I'm just getting into some day care myself and I want to know if there's any money for building or renovating day care facilities?

Michio Suzuki

Title XX by law is not for bricks and mortar. But you can lease bungalows and charge for rental lease, or other space.

Making Services Culturally Relevant

Presentations by

CHILD PLACEMENT PANEL - GOLDIE DENNEY, QUINAULT
DOROTHY GILL, SISSETON-WAHPETON

FAMILY SUPPORT PANEL - SUZANNE LETENDRE, BOSTON INDIAN COUNCIL
FAYE LA POINTE, PUYALLUP

CHILD CARE PANEL - BARBARA MARSH, UTE MOUNTAIN UTE
OMI BROWN, OAKLAND URBAN INDIAN CHILD RESOURCE CENTER
JENNIE JOE, NAVAJO

INTRODUCTION

JENNIE JOE
Navajo
Panel Moderator

Thank you very much. Most of us, planning or providing services for kids, are trying to ensure that our families are strengthened and that we can meet family needs with what we call a culturally relevant approach. I consider this the most exciting part of providing service. It's probably the main reason most of us get into this particular game.

Now, I'd like to introduce Goldie Denny from the Quinault Tribe. Goldie will talk about child placement.

GOLDIE DENNEY

Quinault

The Quinault Tribe is located in the State of Washington. It's a PL 280 State. The reason for our effort to establish licensed child placement agencies is that the Indian people in the State of Washington have suffered the loss of many, many children through the negative services provided by counties, States and the BIA. Our purpose is not to go out and start placing our kids all over the place. It's to bring about a halt to the wholesale abduction of Indian children, and to provide relevant, culturally related Indian services to our own people.

It's strange to me that the Child Welfare Act, Senate Bill 1214, that I hoped we would address here, has been testified against by HEW, the BIA, Catholic Children's Services, and the Mormon Church. Opposition to the loss of so many Indian children nationwide and to the negative services provided by non-Indian social workers was the whole intent behind Senate Bill 1214, just as it is the intent behind this 1115 research and demonstration project.

I'm the director of Quinault social services. The tribal council is very supportive. I have a tribal resolution giving me authority to deal with any county, State or Federal agency on behalf of the Quinault Tribe.

Quinault social services have developed in isolation because the Quinault Tribe consists of two villages located in two counties. We have to deal with two separate county agencies. Because we're geographically isolated and do not have resources available on the reservation, we've had to develop our own.

We have a human resource umbrella agency which administers various departments. Mine is only one department. We have a day care project, an alcoholism/drug department, a youth department, and a senior citizens department (just to mention a few).

We have managed to develop all our own resources right on the Quinault reservation.

My department deals primarily with foster care, adoption, child protective services, and juvenile delinquency services. Staff consists of myself and five caseworkers, who are para-professionals. One of our project objectives is to demonstrate that Indian people, even without MSW's, can provide more relevant and better services than non-Indians with Ph.d's. I have never seen any graduate school of social work that could teach anyone to be an Indian -- or to be anything! So I contend that Indian people can do without all this required so-called education to develop their own social service delivery systems. I encourage everyone to go home and just do it, because you are the best people to provide these services. You've lived this life. You understand it. You understand your own people. No one can do it better than you can, and don't let anyone tell you differently.

I usually cite myself as a product of the irrelevant services offered by non-Indian social workers. As a child, I was removed from my family because I was found one day wading in a mud puddle barefooted and pretty darned muddy. That's one of the reasons used by non-Indian people for the removal of Indian children. I was one of five children and my mother was deceased. We were raised by my father and a grandmother. In Indian country, the grandmother assumes the parental responsibility of the mother in the absence of the mother, and even sometimes when the mother is there. Recognition of the extended family is very important. On the Quinault reservation, the child is just as comfortable at the house next door or down the street as he is at his own home. Whoever's around that child is responsible for that child, and that child is comfortable in *any* home on the reservation. *That* is the extended family system. When the natural parents or blood relatives are not available to care for that child, there will be another family that will care for that child. The extended family does not just consist of blood relations, but of the whole tribe.

Our referrals come from all over. Four and one half years ago when we developed this program I was working by myself out on the road. I was working out of the trunk of my car. Since that time we've really grown. The staff has all been trained by myself, with any relevant workshops that were available. I have sought out every type of training and resources available, so that my staff now is just as capable as myself. I can feel comfortable being here, knowing that my para-professional staff is there doing the job.

I'd like to talk about nationwide trends in foster care and adoption. In the State of Washington, the average length of foster care has been four and a half years per child, and the child usually does not return to the parents, but, due to the lack of services, will move to another foster home. So, nationwide, you hear now the term permanent planning. What shall we do with these children in limbo? Well, what is emerging now is just as dangerous. Permanent planning means get the child into a permanent adoptive home as quickly as possible. So the pendulum is swinging the other way. Sometimes I think we're acting too hastily.

In the Quinault foster care program we did not reinvent the wheel but we're implementing a foster care program the way foster care was originally intended. The natural parents, when their children are in need of foster care placement, select their own foster home. This is so they'll feel comfortable in visiting that home. We start visitation immediately, within the week. They visit even prior to the placement. Intensive services are provided to the natural parents after the child is placed. They visit the foster home every week. Then we try reversing that. The children go home on trial visits. This is kept up repeatedly. And the child is then returned back to the natural parents. Then the foster parents visit the natural parents' home. So there's continuity there.

Adoptions are not new to Indian people. They've been ongoing from time immemorial and in a more sensible manner than among non-Indians. I think non-Indians might take a page out of the Indian people's book in the area of adoption. In the Quinault culture, adoptions are performed and everyone understands the situation though there's nothing on paper. The natural parents turn the child over to whoever they want to rear that child. There's an understanding that they will have no say in what happens to that child or how it's reared or any such thing. The adoptive parents understand that the natural parents will not interfere with their rearing of the child. The child knows who his adoptive parents are and also who his natural parents are. There's no removal of the child like there is in non-Indian society, where the practice has been to take the child as far away from the natural parents as possible so there's never any contact. When people are addressing permanent planning for children I think they might borrow a page out of our book. People would be more willing to relinquish children to a permanent placement if they knew they would have the opportunity of seeing the child in the future. The very threat of having your child taken away, never to be seen again, is totally unnatural.

Everyone is comfortable with this plan. It has gone on for many years.

Delivering services to Indian people requires an unusual approach. The Indian people understand their own culture. When Quinault caseworkers visit a client, they do not immediately jump into the problem. It's more time consuming. You spend time talking about things that are totally irrelevant, but the family knows why you're there. If they are comfortable and feel like talking, you'll get around to the problem sooner or later. So it takes a little longer to provide adequate services to the Quinault people.

We provide all Title XX services. The Department of Social and Health Services in the two counties we reside in allow us to do this simply because they're not out there doing anything anyway.

We provide the services and all they do is maintain telephone contact to document the services. The same thing occurs with the department that has jurisdiction over juveniles off the reservation. They delegate all these services back to our department. We handle these cases and county caseworkers never come on the reservation. Neither does the juvenile officer.

I have no quarrel with this set-up. Our people respond to the services. The only quarrel I have is that the counties get the money, and, since we're providing the services, we *need* the money. That's a good argument for direct funding.

Funding is our number one problem. We don't have enough funds to assure that I will have five caseworkers next week. Last year I had eight. This year I have five. There's no continuity in a program with that kind of instability and turn-over.

On the Quinault reservation five years ago there were four licensed Indian homes. Recruiting our own foster homes, we've increased that number to 32. We have managed to return 63 children home to their natural parents in a period of two years. One of these children was a child adopted as a baby by non-Indian people.

Community response is very important. Indian people are not afraid to come to us. They know we are not the welfare department. They associate the Department of Social and Health Services with the people who steal your kids. We are not threatening to the Indian people. They are willing to come to us because they know that we're going to go to bat for them. Half my time is spent being an advocate. You have to go out there and fight the system, you have to battle the system. If you are a battler, then pretty soon they're going to start responding to you in the community and pay attention to what you're saying. This is what's happened in our area. We have also established our credibility in the State court system.

Referrals come from all over the State of

Washington.

We don't provide services just to Quinault Indians, but to many other Indian people who live on and off reservations, and to many non-Indians who live on the reservation and are entitled to the services just like anyone else. In fact, off reservation non-Indians are coming to us for services rather than going to the local Department of Social and Health Services. The self-referrals have increased to such an extent that this demonstrates the response of the community to this type of program.

I'll conclude right now and not take up everybody's time. Thank you very much.

DOROTHY GILL

Sisseton-Wahpeton

I extend greetings from the Sisseton-Wahpeton Sioux Tribe. Yesterday, Hugh Grogan, our Program Director, highlighted some features of our program related to foster homes, adoptive homes and juvenile codes. I would like to mention very briefly that we have seven departments in our tribal structure. We are the health and welfare department, with ten programs (e.g., an alcohol program, a nutrition program, a child protection program, a youth health program, a juvenile intervention program, an elderly program, WIC, and health and welfare administration).

There are two words that we emphasize continually: coordination and prevention. Keeping coordination and prevention as our goals, we hope that at some future time we will no longer need foster homes, adoptive homes, or any social services. We hope every child born on the reservation will be a planned for and wanted child. Then there will be no problems such as child abuse and neglect, alcoholism, detention centers, and so on.

Coordination means, for example, working with the alcohol program, building a halfway house out in the country where we'll have eight homes, called Rehab Village. We'll be working with whole families. We feel this is very, very important for prevention because mother, father, and children all need help. We cannot concentrate on the father alone and leave mother and children in another place. We have to concentrate on the total family structure, the unit, because that is what has deteriorated in Indian Country.

By coordination, planning, and working together, we've built a juvenile intervention center on my reservation, with ten staff people. We do case planning, counseling and placement. Case planning is for hard core teenagers we cannot work with or who nobody's been able to work with. The youth health counselor is involved in working with youth in all districts. She works with the school system, with court systems, wherever referrals come in.

We have a structure I'd like to talk about, the inter-agency coordinating committee. At first, our Human Services Board had no funds to provide services. Then we pulled in all the provider agencies and said, "Let's work together." So we formed the inter-agency coordinating committee. Meeting with these provider agencies, and making recommendations and referrals to them to ensure that services were adequately provided, was our way of having input until we developed our own child protection program (which took us two years). Sometimes we have to hit agencies over the head with clubs to get things going.

Yesterday we discussed adoption and licensing. When we go to our Human Services Board, we make recommendations. Once a month we come up with recommendations from all the programs. We take the recommendations to our tribal council. Presently, we are urging the council to consider a joint exercise of powers agreement with the State of South Dakota, so that the State and the tribes can officially recognize each other's adoptions. With a child protection program now in operation, we are concerned that the placement of Indian children not be hampered by jurisdictional disputes. Many, many tribes are involved in the jurisdictional issue. We in the northeast corner of South Dakota seem to battle this constantly. I hope that we can resolve it so that services to our children will not be hindered in any way.

These are some of the things we are doing on the Sisseton-Wahpeton reservation. We hope that through coordination and prevention we can provide adequate services. Keeping our families together is our main goal, by means of coordination of services and prevention. Thank you.

SUZANNE LETENDRE

Project Director
Boston Indian Council, Inc.

Our program focuses on three groups: an urban population; a reservation population; and an off-reservation rural population. Its original title was "foster care." We decided that foster care has a negative connotation since people think foster care perpetuates the system they already know, which is destructive of the family unit. This system robs their children, disrupts and weakens the family unit. So we decided to call the program the family support system.

We don't advocate foster care, foster homes, or adoptive placement as a solution to family problems. Rather, we advocate strenghtening the family by dealing with the particular problems that exist in the family (the lack of adequate housing, or jobs, or whatever). We address those problems, try to support the family, try to strengthen the family.

Now, the problem we face is pretty substantial. In Maine, Indian children are placed in foster homes at a per capita rate 19 times greater than for non-Indians. Two-thirds of these Indian children are placed in non-Indian homes. The American Indian Policy Review Commission said that Aroostook County, Maine, has the highest county placement rate in the country. The problem is really outstanding. In Boston, where approximately 4,000 Native Americans reside, we estimate that approximately 300 Indian children are now in foster/adoptive placements.

We have a very limited staff of outreach workers: two in Boston, four in Maine. We really need the support of the community. Since we work for them, we like them to reciprocate our efforts, either by self referral or by referring other families. We have had great success with this. To get that kind of trust relationship with the community we have sponsored an Indian family support feast and invited the community to the Boston Indian Council (a very informal, non-threatening setting) to share ideas, talk, just open the channels for a good working relationship with the community. It has really, really helped us out. For instance, when a single mother is thrown out of her apartment with two or three children, we find that other families are very receptive to their needs and will invite them to stay until they can find their own home. In that way, they help us not resort to outside sources. We've been very lucky. Community support really strengthens the program and makes it more workable.

In the delivery of culturally relevant services, we've tried to sensitize social workers to Indian ways of life and the Indian family structure. For instance, many standards just are not appropriate for Indian people. Say, foster care regulations. We've been fortunate enough to have some fairly receptive social workers. They listen, and are willing to work with us, and sometimes recommend changes in State standards (especially in regard to the licensing and placing of Indian children).

In conclusion, I'd like to stress that community support has really been an asset. Also, we've been helped by social workers who at least have a basic knowledge of Indian families and their needs and the needs of Indian children. With these two strong points we're going to begin, especially in the second or third year, to recommend changes in standards and hopefully make a mark on the system. Thank you.

FAYE LA POINTE

Puyallup

I'm the one who lost my luggage. If any of you has a direct line to the great spirit I wish you'd ask him to send it back.

I'd like to tell you a little about the Washington State project. As you know, there are five tribes involved. One of the neat things about these five tribes is that we respect the differences we have. We're located all over the State of Washington and our problems are different, our service delivery is different, yet we manage to be unified in certain areas. For instance, we had some real problems with the State in hiring a project coordinator. They kept telling us that we needed a person with an MSW. We fought that and fought that and fought that. Finally, the State backed down. We ended up hiring a Ph.D. I don't know, it's very confusing.

The Puyallup Tribe is uniquely situated in that its exterior boundaries encompass one-third of the city of Tacoma, another complete city, and portions of still others. Consequently, we face a lot of jurisdictional problems with fishing and trust lands. We're dealing with a very racist community, though understandably so because they are pretty much uninformed as to the needs of Indian people.

Our tribe, with a population of a little over 1,000, manages to serve 7,000 urban and reservation Indians. I'm the director of social services. The tribe just reorganized a couple of months ago, so right now we're pulling together existing social services under one head. My project is acting as coordinator for five departments.

Number one is group homes, with a capacity of 14 residents.

We're developing a child placement agency which will take over the clients of an existing agency on the reservation. That existing agency will come under the Tacoma Indian Center located on the

Puyallup reservation. We hope to be licensed by the end of this month.

We have an agency called Family Counseling which deals with alcoholism. We call it family counseling because we know that if one person in the family has an alcohol problem it affects the whole family. So we work with the whole family. We're also in the process of tying the mental health unit into Family Counseling to do crisis intervention.

We provide community outreach, transportation, assistance in acquiring public assistance, food banks, and so on.

We're developing a confidentiality code. I haven't heard anything about confidentiality, but we've had some real problems not only within our own agencies but with the State. It looks good and I think it's going to be acceptable not only to the tribes but to the State agencies too.

You've heard a lot about day care. We don't get Title XX funds for day care because we've tied our day care unit in with education. We provide preschool and other regularly scheduled classes. Probably in the very near future we will get into Title XX.

Social services provides directors, myself, a quarter-time MSW, legal aides, clerical help, and planning assistance. We'll do all those services for the five agencies I mentioned. There are a lot of little tricks we've managed. Someone asked, "How do you get on a Title XX committee?" Some things we did I'd like to share. We contacted our district representatives and our Congressmen. We established communication. Now, different politicians are motivated in different ways, but there is one way that all politicians are motivated. You can threaten to endorse them -- an Indian endorsement is the kiss of death. It'll work, believe me. But then you have to step back and be very quiet. Never let your community know your Congressman is helping you.

Another little trick we've managed to pull off is that our quarter-time MSW happens to be a State legislator. Coincidentally, he happens to be on the Appropriations Committee for the Department of Social and Health Services. Now, there really isn't a conflict of interests there, but you'd be surprised how people turn around when he walks into the local DSHS office. There's a totally different attitude when he comes in than when I go in. So, that helps.

Social services, or the grant that we have through this project, pays for a director, an MSW, a facility, equipment, supplies, and travel.

As far as culturally relevant services, we've all been talking about the same thing. It's the extended family. Our task is to bring that out, to let things happen naturally. We're bringing in consultants in traditional training. We have some spirtual training, but more traditional training because we deal with so many different tribes from so many different areas.

I heard Suzanne talking about trying to sensitize social workers. We've given up on that. We really have. Right now we hire people, we buy degrees. If they're sensitive, they'll put things down on paper that the white people will understand. We do our own thing over here and let somebody else give it to State agencies. That seems to be working for us at this point.

Our legal staff right now is putting together juvenile codes. One of our objectives is to have an informed staff in all departments. There are now eleven departments in the Puyallup Tribe, from tribal enterprise, to police, to social services, to accounting, to grants and planning, etc. We've found that we have to develop a mechanism for informing all staff, from janitors to administrators, so that everybody knows what is going on. That's been one of our problems in the past, so we're developing a system to inform everyone and get input from everybody. Thank you.

OMI BROWN

Oakland Urban Indian Child Resource Center

Demonstration projects are supposed to identify real needs. But you also develop a need for the program, and stimulate interest in family or user services. By the time the demonstration project goes under water, you've sort of teased the Indian people, saying, "We're going to provide these services for awhile, you can depend on us." And then, at the end of the demonstration period, no one really wants to pick you up and say, "Where do you go from here?"

In some ways we are ahead of our time in what we are doing, though the time is really very right.

Our agency goals are very much to strengthen the Indian family. We have a number of projects operating right now. We have an IPA project (an interpersonal government training act, or whatever). We hope to train county social workers, the county protective service agencies, and some of the State people. We hope to have an impact on enough of the culturally diverse forces in urban areas to be included in the planning and State funding processes. At least that's my hidden agenda.

The other project we're going into that's not quite there yet is a foster home development unit that evolved very much out of the child abuse unit. We found that a lot of children in crisis get placed in non-Indian foster homes. So we're getting into foster homes, and trying to stimulate Indian people to become foster parents. Right now we have something like an emergency foster home program where the natural parents work together with the volunteer parents. This is to prevent the child from being placed semi-permanently in an alien environment.

I work in an urban center, with Indians who were moved to the city by the Federal government when assimilation was the Federal goal. This was the so-called relocation program. No one in government said, "What will happen to these children?" "How are these families going to cope in the city?" They just said, "Perhaps there will be jobs available to them. There's nothing in the reservation areas." But on the reservation you have the Public Health Service, you have the BIA, you have a place for human service providers.

On the other hand, when you go into an urban area, if you've never been there before you discover a multiple, complex service delivery system. You have to go through the maze. If you're not capable of going through the maze, and fall in somewhere, then you have to start all over again. And it becomes very frustrating. A number of Indian people do not want to use county social services for those very reasons. They do not understand the system, they don't know how persistent it is. You have to have a lot of guts to get through the maze at the county level. And if you're an Indian it's traditional to be somewhat passive. So it becomes even more complex. That's one of the reasons why centers such as ours are very much needed throughout the nation.

About 70% of our clients are self-referrals or other Indian agency referrals. Indian families who use our services very often tell other Indian people about our services.

Going to foster homes: when we started we serviced the whole Bay Area, although we were funded only for Alameda County. We have gone into San Jose and San Francisco and Sonoma. We get a lot of referrals from throughout the State. We try very hard to stay within the Bay Area but it is obvious from the tremendous amount of assistance requested of our agency that a program such as this is very much needed.

We had one foster home when we started that was licensed by the county, and 76 Indian children in foster placement. It became very frustrating for us to try to place Indian children in white homes, whose cultural values are very different. We realized that natural families were having problems. Otherwise parents wouldn't be abusing or neglecting their children. Taking children out of the home, placing them in different environments, and then saying at a later point, "you have to go back and cope now," creates another level of problems. This has been an ethical problem for us. So we're developing foster homes funded under Title XX, under the county -- which was very much under pressure from the press for having a deplorable foster placement system. The Oakland Tribune and the San Francisco Chronicle had headlines on county foster care. So they gave us a small grant to see what we can do with it.

The other thing we have is a small research project on the need for the training of Indian peoples so that they can deliver their own services. None of our Indian staff has more than an A.A. degree. We have four Indian staff members we trained in a para-professional program to acquire A.A. degrees. They're the social workers. We have a number of people without degrees and some who have more than a degree, i.e., sensitivity and cultural background, which makes a tremendous difference. While county and State "professional people" look down on our social workers, Indian families who use our services look upon our social workers as true professionals.

We have two homemakers. You always need homemakers, especially for protective services, child abuse, etc. They're very integral because they're the linkage. they know what's happening. They can intervene when it's crucial. Often we have to come into homes and work with families.

We have different levels of work and it's been a very viable program. Right now, the population we serve is about 240 cases. Cases can represent as many as one family of eight or nine children. So, basically, we provide services to about 2,000 individuals. We cover San Francisco, San Jose, and Alameda County, and where it's crucial we step into other counties. Otherwise, we try not to.

The majority of our cases have been neglect cases rather than abuse. We've had a very small percentage of abuse cases. When abuse takes place it is usually the result of pressures and problems created by trying to live in another culture.

Of our 23 staff members, four are students at Berkeley in the Masters of Public Health Program. They are on a research program looking at ways of delivering services which may prove effective. That's another component.

We have a deadline to go into mental health services for Indian children. There is a real need for mental health services especially among urban

Indian children. We have not yet reached that stage though. We're planning on it.

It's very important to coordinate service delivery. A lot of our time is spent ensuring that if the father has a drinking problem and the mother has an employment problem, we take major responsibility as coordinator to get that child back into the home. Otherwise, it's very hard to do.

The other thing we worked out is an extended family network. On reservations, most of us have relatives we can leave our children with if we go somewhere. When you are relocated in an urban area you really don't have your extended family to rely on. So one of our common bases now is that we're all in an urban area, and we're all Indians, regardless of what tribe we come from. We service about 56 different tribes and put on potluck dinners, meetings and interagency meetings. We have done a number of things to stimulate the Indians to get together, to get to know one another. It's been very effective. We're getting quite a number of Indian people interested in becoming foster parents and willing to work with us around a number of issues. That is a strengthening of Indians. Indian families have maintained a state of unity for 400 years as they've been repressed, assimilated, whatever. They've maintained their cultural identity, their language, and their heritage. If there is a cohesiveness among Indians in the urban areas, I really think we should be supportive.

Our major problem at this point is funding. We're experiencing a lot of financial problems. Thank you.

JENNIE JOE

Navajo

It's important that the child be part of something long-lasting in his native culture. The first question is why Indian people are interested in developing their services separately. Why aren't they all jumping on the band wagon as they've been told to do? You've gotten some very good ideas about that from a number of speakers. One reason is that socio-cultural factors are not addressed by social services. Service administrators don't worry about whether your child speaks Navajo or Hopi or Laguna when they place him in a middle class white home. They're concerned whether this kid is going to have shoes and a separate bed to sleep in. The Hopi and the Navajo and the Laguna mother is concerned that her children be able to speak their language, converse with their grandparents. So this is the first reason we need a separate system, alternatives. The other thing is that the Indian people are isolated, and are forced to develop separate services because what's available on the outside is often not delivered to them. If nobody takes care of your needs, you go out and take care of them yourself. You develop another alternative.

Another thing that gives you an indication of why separate services are needed is the fact that Indian people care what happens to their future. And their future is the children born into their tribe. A social worker who comes in and uses white criteria to decide why you should remove a child is not concerned about the continuation of the Laguna population or the Hopi population.

These are the reasons why separate services are needed; most important is sensitivity. If existing social services were already sensitized to Indian clients, delivering culturally relevant services, we would not have to set up separate Indian programs. What are culturally relevant services, other than Indian people delivering social services? The first thing that comes to mind is that culturally relevant services are built on existing strengths: i.e., foster homes are modeled after extended families. That's a system that has always existed. There was also an adoption process which was always there, whether formal or informal. There were always families helping other families without pay. There were traditional ways to settle family disputes. These kinds of things people say are culturally relevant methods of delivering services.

Another thing that's very unique is that people are encouraged to select the family their child is going into. There's an interchange between the family-in-need and the foster or adoptive family. So the child doesn't have to guess where he's sent. Arrangements are made informally between families, with the social worker acting only as a facilitator. That's really different.

Another thing is the way service workers communicate with families. They use traditional feasting or get-togethers as a method of spreading the word instead of putting up posters in grocery stores or having spots on T.V. saying we're looking for foster families. That's a much more Indian way, a kind of gathering.

Another thing is that Indian social workers are not threatening to Indian families because these are people they know. "My kids play with their kids, or they're related to us, they're cousins," and so on. You can't really do that with non-Indian social workers.

Another thing is that they go beyond just feeding the child. They address social issues such as alcoholism. They go into early childhood education, and parenting education. They see the problems that contribute to the displacement of children and the disruption of families. That's very different from social services which look at the money they get.

Another thing is that they're willing to provide inter-agency counsel and coordination. That's also a very cultural kind of orientation. Even giving a new name to your agency so it does not carry old connotations is a very positive and culturally relevant way to deal with things. You think more of their commitment to deliver services and less of the educational caliber of the people who deliver it. And there's a lot of emphasis on para-professionals. Actually, I don't know what a para-professional is. I think if you can do something good, you're a professional.

It's how services are delivered that's different. And who delivers. And for whom the services are delivered. Now, I'd like to open the next fifteen minutes for questions.

DISCUSSION

Steven Esquibel

First of all, we've heard many issues discussed in relation to acquiring, utilizing and implementing Title XX. We've heard the phrase, "providing culturally relevant services" many times. Today, I'm looking at an all Indian panel. I think today we're looking at the experts. We need to put that across to the Federal government. And to the States.

One of the biggest threats we face is having to accept or mimic standards put down by States or the Federal government in relationship to acquiring Title XX monies. That point needs to be explained to the Federal government and to the States. I think in many respects, if the projects fail, or if they don't do as well as they should, it's because the Federal government and the States are forcing the projects to accept certain guidelines, whether they be degree requirements, or paper requirements, or whatever.

I'd like to ask the panel: specifically, where are the conflicts between culturally relevant services and standards and codes? What, specifically, does it mean to develop a culturally relevant juvenile code system, foster care services, the Indian family kinship system, day care, counseling services, etc.? Perhaps the panel members can elaborate and expand on these areas in relationship to their projects and how they're dealing with these issues.

Goldie Denney

I can speak for the Quinault Tribe. Acquiring services from the State through Title IV or Title XX involves jurisdictional problems. If you provide the services yourself, then you have to sign a purchase of service contract with the State (because they have jurisdiction). I'm reluctant to do that because once you sign a purchase of service contract you have to abide by State standards for that particular service -- at least for foster care and day care centers. And so much emphasis is placed upon material things like the number of rooms and where you get your water, the number of children in your home and all these nice things. You know, in day care centers you've got to have pictures on the wall. You've got to have so many safe play things, you've got to have so much space per child. I'm not saying those things are bad; those things are good; but they're not enough. You have to feel comfortable, the emotional well-being of the child is what is of utmost importance to that child's future. Not the material things he is surrounded by.

As a child myself, when we had company we always had a house full of children. There were always ten or fifteen kids around and we only had two bedrooms, so we slept under the kitchen table. It was a big experience for me, a lot of fun down there, hiding behind the table cloth and imagining all sorts of things. People have a tendency to overlook the value of those things.

A healthy environment and the warmth that surround the child are what is important, not the material things. If the so-called experts will look back, years ago our ancestors lived in hogans, igloos, and teepees. Now, they would all be considered sub-standard homes. Children would be removed from them because they're not "fit and proper" places to rear children. Having to abide by the State's standards is the whole problem. It's a jurisdictional problem, especially in PL 280 States. Thank you.

Panelist

I would like to respond very briefly about our structure. We have a strong committee that was very active in an advocacy role. They met with the local department of social services constantly and had a very good working relationship. Whether they wanted it or not we were there. And we had what we called an approved list of homes. These were homes that provided foster care. So this is the way we worked with BIA, we said, "Here's a list of homes that are going to provide foster care, emergency foster care, or long-term foster care."

We had a coordinated working relationship. This was because of persistent advocacy efforts.

Jerry Roybal

I'd like for you, Dorothy, to explain something about the grandmother society that you have on the Sisseton-Wahpeton reservation.

Dorothy Gill

Since 1953, we have had a group called the health council. This came about because we wanted to combat tuberculosis, then the deadly killer among our Indian people. As a volunteer group, we had a health committee, a welfare committee, an alcohol commission. We found that most of us were serving on all three committees. So we decided to get professional and have unified, concerted support, so we restructured it. Previously, we had been accused by some of the members of the tribe of having grandmothers involved in everything. They're making changes, they're the doers of the reservation. So we came up with by-laws and sent them to each district, saying, "You can appoint your own member to this council." And lo and behold, all the grandmothers were appointed back on it again. So this is the moving force on the reservation.

Denis Turner

Thank you all for a very interesting and illuminating discussion. During the balance of the conference, we'll have a chance to apply what we have learned to some of the concrete aspects of our work.

This afternoon, there will be three concurrent workshops -- one on needs assessment techniques, one on juvenile codes and one on the development of standards. We hope that you will try to have one member of your project staff attend each of the workshops.

Tomorrow, we'll be going over the evaluation and training and technical assistance plans for next year, as well as reviewing the requirements for renewal proposals. These working sessions will not be part of the conference proceedings.

We hope that the rest of the conference will be as productive and stimulating as these past sessions have been. Thank you again for your active participation.

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